Washington, Saturday, May 3, 1947

TITLE 3—THE PRESIDENT PROCLAMATION 2730

AMENDMENT OF REGULATION RELATING TO MIGRATORY BIRDS AND GAME MANIMALS

BY THE PRESIDENT OF THE UNITED STATES OF ALIERICA

A PROCLAMIATION

WHEREAS the Under Secretary of the Interior has submitted to me for approval the following regulations adopted by him, after notice and public procedure pursuant to section 4 of the Administrative Procedure Act (5 U. S. C. Supp. 1003) on March 26, 1947, under authority of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755, 16 U. S. C. 704) Reorganization Plan No. II (53 Stat. 1431) and act of August 14, 1946 (Public Law 732, 79th Cong.)

AMENDMENT OF REGULATION RELATING TO LUGRATORY BIRDS AND GAME MANIMALS

By virtue of and pursuant to the authority contained in section 3 of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755, 16 U.S. C. 704) and Reorganization Plan No. II (53 Stat. 1431) I, Oscar L. Chapman, Under Secretary of the Interior, having due regard to the zones of temperature and to the distribution, abundance, economic breeding habits, and times and lines of flight of the migratory birds included in the terms of the conventions between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, and between the United States and the United Mexican States for the protection of migratory birds and game mammals, concluded February 7, 1936, have determined that development of future wildlife refuge areas and the protection of wildlife thereon may be accomplished in accordance with approved plans by individuals who have conveyed such lands to the United States for refuge purposes subject to a possessory estate and in accordance with such determinations do hereby amend the regulations approved by Proclamation No. 2616, July 27, 1944, as last amended by Proclamation No. 2699, of August 8, 1946, by the adoption of an amendment to Part 1 of Subchapter A of Chapter I of Title 50 of the Code of Federal Regulations, effective 30 days after publication in the Federal Register, as follows:

1.71 Wildlife Development Areas. With respect to any lands which have been or may hereafter be acquired by the United States for future use as a migratory bird sanctuary or other wildlife refuge, subject to an outstanding possessory estate, the owner of such outstanding estate may, in accordance with a program for the development of the area and the limitation of shooting during such development period, approved by the Secretary of the Interior, take such measures as are calculated to maintain and increase the waterfowl population of the area in question, and engage in the shooting of migratory birds within the limitations set forth in the approved program.

1.72 Revocation of Program Approval. Approval of any such program may be revoked by the Secretary of the Interior upon a finding that the terms of such program have been violated by the proponents thereof. Following such revocation, all rights and privileges derived from the existence of an approved area development program shall cease.

1.73 Notice and Hearing. Prior to any Secretarial determination that the terms of an approved area development program have been, or are being, violated by the proponent thereof a notice shall be sent to said proponent specifying the character, time and locality of the alleged violation and designating a representative of the Secretary with whom the proponent of the program may discuss any controverted issue of fact or interpretation in an effort to reach an amicable agreement or understanding. Thereupon, the said proponent shall cease and desist from the commission of acts specified in such notice for a period of 60 days, or if the case be finally determined during such 60-day period then only until such final determination. If, within 30 days after such notice has been received, no such agreement or understanding is reached then the Secretary may, after allowing such further opportunity for hearing as he deems proper, make and promulgate a final order revoking approval of the development area program. Thereupon,

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the provisions of section 1.3 of Part 1, Subchapter A, Chapter I, Title 50 of the Code of Federal Regulations shall be fully applicable to the area in question.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the seal of the Department of the Interior to be affixed this 28th day of March, 1947.

OSCAR L. CHAPMAN, [SEAL] Under Secretary of the Interior

AND WHEREAS upon consideration it appears that the foregoing regulation will tend to effectuate the purposes of the aforesaid Migratory Bird Treaty Act

of July 3, 1918; NOW THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid Migratory Bird Treaty Act of July 3, 1918, do hereby approve and proclaim the foregoing regulation of the Under Secretary of the Interior.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 1st day of May, in the year of our Lord nineteen hundred and fortyseven, and of the Independence [SEAL] of the United States of America the one hundred and seventy-first.

HARRY S. TRUMAN

By the President:

G. C. MARSHALL, Secretary of State.

[F. R. Doc. 47-4257; Filed, May 1, 1947; 1:37 p. m.]

TITLE 5—ADMINISTRATIVE **PERSONNEL**

Chapter I—Civil Service Commission

PART 6-EXCEPTIONS FROM THE COMPETI-TIVE SERVICE

POSITIONS IN DEPARTMENT OF AGRICULTURE

Under authority of § 6.1 (d) of Executive Order No. 9830 (12 F. R. 1259), and with the concurrence of the Secretary of Agriculture, § 6.4 (a) (9) (x) is revoked.

Under authority of § 6.1 (a) of Executive Order No. 9830 (12 F. R. 1259) and at the request of the Secretary of Agriculture, a new § 6.4 (a) (9) (x) is hereby issued.

- § 6.4 Lists of positions excepted from the competitive service—(a) Schedule
- A. . . . (9) Department of Agriculture. * * *
- (x) Temporary, intermittent, or seasonal clerical, crafts, protective, and custodial positions in the field service of the Department of Agriculture at places other than civil service regional headquarters, paying not to exceed entrance rate of CAF-4 or its equivalent, or CFC-6 or its equivalent, whichever is applicable, for not to exceed 180 working days a year, whenever in the opinion of the Commission appointment through competitive examination is impracticable.

(Secs. 6.1 (a) and 6.1 (d) E. O. 9830, 12 F. R. 1259)

[SEAL] UNITED STATES CIVIL SERV-ICE COMMISSION. H. B. MITCHELL, President.

[F. R. Doc. 47-4237; Filed, May 2, 1947; 8:56 a. m.]

PART 22-APPEALS OF PREFERENCE ELIGI-BLES UNDER THE VETERANS' PREFERENCE **ACT OF 1944**

FURTHER APPEALS TO COLLAISSION

- 1. Section 22.11 (b) is amended to read as follows:
- § 22.11 Further appeals to the Commission.
- (b) Referred to Board of Appeals and Review. Appeals under this section shall be referred to the Board of Appeals and Review of the Commission in Washington, D. C., for appropriate action.
- 2. The headnote of § 22.11 (d) is amended to read as follows:
 - (d) Decision on further appeals.

(Secs. 11 and 14, 58 Stat. 387; 5 U. S. C., Sup. 860, 863)

United States Civil Serv-[SEAL] TOE COMMISSION. H. B. MITCHELL President.

[F. R. Doc. 47-4236; Filed, May 9, 1947; 8:56 a. m.]

TITLE 7-AGRICULTURE

Chapter VII-Production and Marketing Administration (Agricultural Adjustment)

PART 701-NATIONAL AGRICULTURAL Conservation Program

PART 702-INSULAR AGRICULTURAL CONSERVATION PROGRAM

MISCELLANEOUS AMENDMENTS

State Bulletins (Subpart-1947) sued December 10, 1946 (11 F. R. 14339) and amendments issued March 19, 1947 (12 F R. 1831) are hereby further amended as follows:

1. In § 701.841 Arizona, paragraph (j) is amended by deleting the entire subparagraph (26) and substituting therefor the following:

(26) Reseeding permanent_pastures.

Alfalfa will qualify for payment only when seeded in a mixture containing not more than 25 percent by weight of alfalfa.

Perment rates:

(i) Lohmann's lovegrass, or weeping lovegrass, \$2.00 per pound.

(ii) Alfalfa, aloike clover, meadow fescue,

or Dallis grass, 2030 per pound.
(III) Created wheatgrass, slender wheatgracs, vestern wheatgrass, or sand dropseed, 80.20 per pound. (iv) Winterfat, bromegrass, orchard grass,

or perennial ryegrass, 20.15 per pound. (v) Sweet clover, timothy, or chamise, 80.10 per pound.

2. In § 701.842 Arkansas, paragraph (i) (3) is amended by deleting the subparagraph, except Payment rates, and substituting therefor the following:

- (3) Ground limestone or ground mussel shells. Application of ground limestone or ground mussel shells which meets the specifications required by the county and State committees. No payment will be made for limestone or mussel shells used in the establishment of sod waterways. Prior to the application of the material, an acidity test must have been made and filed with the county committee.
- 3. In § 701.843 California, paragraph (j) (1) is amended by deleting the payment rate and substituting therefor the following:
- (i) 60 percent of the cost delivered to the farm but not in excess of \$6.50 per ton of calcium carbonate in all counties except Monterev
- (ii) 60 percent of the cost delivered to the farm but not in excess of \$1.50 per ton of calcium carbonate in Monterey County.
- 4. Section 701.843 (j) (2) is amended by deleting the payment rate and substituting therefor the following:
- (i) \$0.04 per pound of available phosphoric acid in all counties except Contra Costa.
- (ii) \$0.04 per pound of available phosphoric cold but not in excess of \$5.00 per acre treated in Contra Costa County.
- 5. Section 701.843 (j) (19) is amended by deleting the sentence immediately preceding Payment rates and substituting therefor the following: "The total payment under this practice shall not exceed \$200.00 per farm as defined under the Agricultural Conservation Program,

- or \$10.00 per acre of land improved by the reorganization in all counties except Tehama, or \$8.00 per acre of land improved by the reorganization in Tehama County, whichever is greater.
- 6. Section 701.843 (j) (19) Payment rates (i) is amended by deleting subdivis.on (f) and substituting therefor the following:
- (f) \$0.10 per cubic yard of material excavated in ditches having an average cross-section greater than 17.9 square feet in all counties except Riverside.
- (g) \$0.10 per cubic yard of material excavated in ditches having an average crosssection greater than 17.9 square feet, but not in excess of \$8.00 per 100 linear feet, in Riverside County.
- 7. Section 701.843 (j) (20) is amended by deleting the payment rate and substituting therefor the following:
- (i) \$0.08 per cubic yard of earth moved, but not in excess of \$6.00 per acre leveled in Marin, Modoc, and Sonoma Counties.
- (ii) \$0.08 per cubic yard of earth moved, but not in excess of \$7.00 per acre leveled, in Tehama County.
- (iii) \$0.08 per cubic yard of earth moved, but not in excess of \$8.00 per acre leveled in all other counties.
- 8. Section 701.843 (j) (22) Payment rates, is amended by deleting subdivision (vi) and substituting therefor the following:
- (vi) \$0.10 per cubic yard of material excavated in ditches having an average crosssection greater than 17.9 square feet, but not in excess of \$8.00 per 100 linear feet in Riverside County.
- (vii) \$0.10 per cubic yard of material excavated in ditches having an average cross-section greater than 17.9 square feet, in all other counties.
- 9. Section 701.843 (j) (32) Payment rates, is amended by deleting subdivision (ii) and (ii) and substituting therefor the following:
- (ii) \$1.50 per linear foot for wells with a casing of 4 inches or more but less than 6 inches in diameter, in Tehama County.
- (iii) \$2.00 per linear foot for wells with a casing of 4 inches or more but less than 6 inches in diameter, in all other counties.
- (iv) \$2.00 per linear foot for wells with a casing 6 inches or more in diameter, in Tehama County.
- (v) \$3.00 per linear foot for wells with a casing 6 inches or more in diameter, in allother counties,
- 10. Section 701.843 (j) (33) Payment rates is amended by deleting subdivision (i) (ii) and (iii) and substituting therefor the following:
 - (i) In Tehama County.
- (a) \$0.40 per cubic foot of excavation in rock, and
- (b) \$0.25 per cubic foot of excavation in soil or gravel, or
- (c) \$0.40 per cubic foot of available storage capacity constructed.
- (ii) In all other counties:
- (a) \$0.50 per cubic foot of excavation in rock, and
- (b) \$0.25 per cubic foot of excavation in soil or gravel, or
- (c) \$0.50 per cubic foot of storage capacity constructed.
- 11. Section 701.843 (j) (34) is amended by deleting the payment rate and substituting therefor the following:
- (i) 50 percent of the cost but not in excess of \$4.50 per acre on which the plants are eliminated or controlled, in Tehama County.

- (ii) 50 percent of the cost but not in excess of \$5.00 per acre on which the plants are eliminated or controlled, in all other coun-
- 12. Section 701.843 (j) (35) is amended by deleting the payment rate and substituting therefor the following:
- (i) 50 percent of the cost of the seed sown. but not in excess of \$10.00 per acre of land seeded, in Fresno County.
- (ii) 50 percent of the cost of the seed sown, but not in excess of \$5.00 per acre of
- land seeded in Tulare, County.

 (iii) 75 percent of the cost of the seed sown, but not in excess of the smaller of \$6.50 per acre of land seeded or \$200.00 per farm as defined under the Agricultural Conservation Program, in Tehama County.
- (iv) 80 percent of the cost of the seed sown, but not in excess of the smaller of \$10.00 per acre of land seeded, or \$200.00 per worksheet farm, in Solano County. For this purpose a worksheet farm is defined as the individually owned tract of land having a continuous boundary which ordinarily is operated by one operator, excluding fieldrented tracts, either as a farming unit within itself or in combination with other tracts as a farming unit.
- (v) 80 percent of the cost of the seed sown. but not in excess of \$10.00 per acre of land seeded, in all other counties.
- 13. Section 701.843 (j) (45) is amended by deleting the payment rate and substituting therefor the following:
- (i) 50 percent of the cost of the clearing operation, but not in excess of \$5.00 per acre of land cleared, in Lassen County,
- (ii) 50 percent of the cost of the clearing operation, but not in excess of \$10.00 per acre of land cleared in all other counties.
- 14. Section 701.843 (j) (46) Payment rates is amended by deleting subdivision (i) and substituting therefor the follow-
- (i) Continuous cultivation throughout the entire growing season, except for quack grass.
- (a) 50 percent of the cost of cultivation, but not in excess of \$10000 per acre, in San Mateo County.
- (b) \$10.00 per acre in all other counties.
- 15. Section 701.843 (j) (5) Payment rates, is hereby amended by deleting subdivisions (i) and (ii) and substituting therefor the following:
- (i) For green manure or cover crops of the following varieties: Austrian winter peas, berseem clover, bur clover, Canadian field peas, cowpeas, fenugreek, guar, horsebeans, lupine, mat beans, mung beans, sesbania, soybeans, Tangier peas, common vetch, hairy vetch, and purple vetch.
- (a) \$2.00 per acre in San Bernardino County.
 - (b) \$3.00 per acre in Tehama County.
 - (c) \$3.50 per acre in all other counties.
- (ii) For seeded green manure or cover crops of the following varieties: barley, mustard, oats, rye grain, ryegrass, sour clover. sweet clover, hubam clover, or wheat.
 - (a) \$1.00 per acre in Tehama County.
 - (b) \$1.50 per acre in all other counties.
- 16. In § 701.844 Colorado, paragraph (j) (17) Payment rate, is amended by deleting the language "\$1.00 per acre," and substituting therefor the following rates:
 - (i) \$0.50 per acre in Rio Blanco County.
 - (ii) \$1.00 per acre in all other countles.
- 17. Section 701.844 (j) (36) Payment rates is amended by deleting subdivision

- (i) and substituting therefor the following:
- (i) Wells with a casing less than 4 inches in diameter but not less than 2 inches in diameter, or artesian wells.
- (a) \$0.50 per linear foot of well, but not in excess of \$1.50 per well in Alamosa County.
- (b) 50 percent of cost, but not in excess of \$1.00 per linear foot of well in Rio Grande County.
- (c) 75 percent of cost, but not in excess of \$1.00 per linear foot of well in Saguache County.
- (d) \$1.00 per linear foot of well in all other counties.
- 18. Section 701.844 (j) (38). Payment rates, is amended by deleting subdivision (i) and substituting therefor the follow-
 - (i) Eradication of cactus:
- (a) \$0.25 per acre for each time the cactus infested area is worked with a suitable eradicating implement, but not in excess of \$1.00 per acre in El Paso County.

 (b) \$1.00 per acre eradicated in all other
- counties.
- 19. In § 701.849 Idaho, paragraph (j) (51) is amended by deleting the language "The units of performance will be reduced 2 percent for each 1 percent of State or Federal aid that is furnished in excess of 50 percent of the cost of carrying out the practice, except in the case of borax used in connection with St. Johnswort."
- 20. In § 701.850 Illinois, paragraph (a) is amended by deleting the entire paragraph and substituting therefor the following:
- § 701.850 Illinois—(a) Farm plan. Any agricultural producer in a county may participate in the agricultural conservation program by filing a Farm Plan (NCR-47-3) with the county committee prior to April 1, 1947, in all counties, except that in Champaign, Mason, or Piatt Counties, the Farm Plan may be filed not later than May 31, 1947. However, if a producer acquires an interest in a farm after April 30, 1947, in Champaign, Mason, or Platt Countles, or after March 1, 1947, in all other counties, he may file a Farm Plan without regard to the closing date for the respective county provided he does so within 30 days after acquiring an interest in the farm.
- 21. Section 701.850 (b) is amended by deleting the paragraph and substituting therefor the following:
- (b) Farm allowance. (1) For the purpose of limiting payments to available funds a limit on expenditures will be established for each county by the State committee. Community committeemen and farmers will plan the practices needed on the farms and will enter such information on the farm plans. The farm plans thus completed will be reviewed by the county and community committeemen who will approve the conservation practices planned for each farm in 1947. The computed credit value of the approved practices on each farm plan will be the amount of assistance guaranteed each farm, if the total of the computed credit values on all farm plans does not exceed the county limit on expenditures. A pro rata

reduction of the assistance guaranteed each farm will be made if necessary to keep within the county limit on expenditures, except as provided in subparagraph (2) of this paragraph. Each farmer will be notified of the extent of each practice approved for payment on his farm, and of the minimum amount of assistance which may be earned by performing such practices. Any unearned funds will be utilized to increase the minimum assistance offered on farms upon which approved practices are carried out to the extent necessary to earn the additional assistance so allocated.

(2) The State committee is authorized to allocate additional funds to Champaign, Mason, and Platt Counties for use in making payments at the approved credit rates for the units completed of the following conservation practices which are contained in paragraph (j) (1) (2) (3) (4) (5) (9) and (14) of this section. Payment for the aforementioned practices will not be subject to pro rata reduction in the event the original county allocation of funds is exceeded.

22. In § 701.851 Indiana, paragraph (i) (16) is amended by the addition of the following language immediately preceding Payment rates:

The chemical, 2,4-D, may be used only on bindweed, perennial sow thistle, or Canada thistle. No payment will be made for 2,4-D if less than 100 gallons per acre of a 400 percent solution is applied to bindweed or perennial sow thistle, or less than 100 gallons per acre of a %0 percent solution is applied to Canada thistle.

- 23. Section 701.851 (j) (16) Payment rates is amended by adding the follow-
- (iii) \$2.00 per pound of 2,4-D (active ingredient) applied.
- 24. In § 701.852 Iowa, paragraph (j) (14) Payment rates is amended by deleting subdivision (iv) and substituting therefor the following:
- (iv) \$1.50 per pound of 2,4-D (active ingredient) applied to bindweed, Canada thistle, perennial sow thistle, or perennial pepper grass. The conditions under which this material is to be applied are on file in the office of the county committee.
- 25. In § 701.853 Kansas, paragraph (j) (16) Payment rates is amended by deleting subdivision (v) and substituting therefor the following:
- (v) \$1.50 per 100 linear feet for level terraces having a settled ridge height of not less than 0.8 foot above the natural ground
- 26. Section 701.853 (j) (35) Payment rates, is amended by deleting all language following Payment rates and substituting therefor the following:

Payment rates: The amount approved by the county committee based on management and conservation needs, but not to exceed the smaller of:

- (i) \$50.00 plus \$0.04 per acre of eligible grassland, or
- (ii) \$0.75 per acre of eligible grassland.
- 27. Section 701.853 (j) (46) is amended by adding the following language immediately preceding Payment rate: "In computing the payment rate for eradica-

tion by chemicals only the cost of the

chemicals may be considered."
28. Section 701.853 (j) (46) Panment rate, is amended to read as follows:

Payment rate: 50 percent of the cost of eradication, but not in excess of \$10.00 per

29. In § 701.856 Maine, paragraph (j) (2) is amended by deleting the following sentence: "Payment will not be made for the phosphoric content of mixed fertilizer unless the phosphoric acid and potash content are at least twice the nitrogen content.

30. Section 701.856 (j) (3) is amended by deleting the following sentence: "Payment will not be made for the phosphoric content of mixed fertilizer unless the phosphoric acid and potash content are at least twice the nitrogen content.

31. In § 701.858 Massachusetts, paragraph (j) (8) is amended by deleting the language "Payment will be made only for the application of air-dried straw or hay, excluding manure." immediately preceding Payment rate, and substituting therefor the language, "Payment will be made for the application of air-dried straw or hay, or equivalent material, excluding manure."

32. Section 701.858 (j) is amended by deleting subparagraph (12) and substituting therefor the following:

(12) Clearing land for pasture or tillage. The cleared acreage must be seeded or reseeded to an approved pasture mixture. Adequate amounts of lime, phosphoric acid, and potash must be applied.

Payment rate: 810.00 per acre.

33. In § 701.860 Minnesola, paragraph (j) (7) is amended by deleting the word "cropland" from the description of the practice and substituting therefor the word "farmland."

34. Section 701.860 (j) (7) Payment rates, is amended by adding the follow-

(vi) \$2.00 per pound of 2,4-D (active ingredient) applied to Canada thistle, perennial sow thistle, or field bindweed.

35. In § 701.862 Missouri, paragraph (j) is amended by deleting the entire subparagraph (11)

36. In § 701.865 Nevada, paragraph (i) (7) is amended by deleting the first sentence after the description of the practice and substituting therefor the following: "The total payments under this practice and the practices contained in subparagraphs (8) and (24) of this paragraph cannot exceed \$25.00 per acre improved under the reorganization plan; and not more than \$12.50 per acre may be paid for any one of the subdivisions listed under this subparagraph except where carried out in connection with a pooling agreement approved under paragraph (d) of this section."

37. Section 701.865 (1) is amended by deleting the entire subparagraph (25) and substituting therefor the following:

(25) Eradication or control of noxious weeds. Applicable only to Canada thistle, whitetop, Russian knapweed, perennial morning glory, blue flowering lettuce, perennial sow thistle, leafy spurge, quack grass, water hemlock, lizard tail (yerba mansa), or milkweed.

Where eradication or control is accomplished by clean cultivation the operation must be begun before the budding stage and must be continued at intervals throughout the remainder of the growing season. Eradication of quack grass must be by continuous cultivation throughout the growing season and no payment will be made unless a thorough job of eradication is accomplished. The chemical, 2,4-D, may be used only on Canada thistle, whitetop, perenmal morning glory, water hemlock, lizard tail (yerba mansa) or milkweed. No payment will be made for eradicating or controlling water hemlock, lizard tail (yerba mansa), or milkweed, by any method other than through the use of 2,4-D.

Payment rates:

(1) 50 percent of the cost of approved chemicals used, except 2%-D, but not in excess of 010.00 per acre treated.

(ii) 810.00 per acre for clean and continuous cultivation throughout the growing

ceason, except for quach grass.
(iii) 85.00 per acre for clean and continuous cultivation of quach grass throughout the growing ceason.

(iv) 50 percent of the cost of 2,4-D used, but not in excess of \$1.75 per pound of 2,4-D used in the preparation.

- 38. In § 701.871 North Dakota, paragraph (i) (35) Payment rates, is amended by deleting subdivision (v) and substituting therefor the following:
- (v) 50 percent of the cost of 2,4-D, but not to exceed \$1.50 per pound of 2,4-D acid in the preparation, when applied to Canada thictle, field bindweed, or perennial sow
- 39. In § 701.872 Ohio, paragraph (j) (14), Payment rates, is amended by adding the following:
- (III) \$1.50 per pound of 2,4-D (active ingredient) applied.
- 40. In § 701.874 Oregon, paragraph (j) (43) is amended by deleting the language "Applicable only on cropland, along ditch banks, or on any land in the watershed which furnishes water for irrigation."
- 41. In § 701.878 South Dakota, paragraph (j) (30) Payment rates, is amended by deleting subdivision (v) and substituting therefor the following:
- (v) 81.59 per pound of 2,4-D (active ingredient) applied in the control of creeping Jenny, Canada thistle, or perennial sow thistle.
- 42. In § 701.879 Tennessee, paragraph (j) (7) is amended by adding the following sentence preceding Payment rate: "Payment will be made on a clean seed
- 43. Section 701.879 (j) (7) Payment rate is amended by deleting the language "\$8.00 per acre," and substituting therefor the following:
 - (i) Bermuda grass-00.40 per pound. (ii) Bluegraco-\$0.90 per pound.
 - (iii) Corpot gracs—\$0.25 per pound. (iv) Dallis gracs—\$9.45 per pound.
- (v) Feecue (Alta or Kentucky 31)-00.65
- per pound.
 (vi) Orchard grass—69.15 per pound. (vii) Redtop (Herds grass)-\$0.20 per
- (vili) Timothy-09.10 per pound.
- (ix) Alaike clover—\$0.40 per pound.
- (x) Ladino clover-31.60 per pound.

- (xi) White Dutch clover—\$0.75 per pound. (xii) Hop clover—\$0.60 per pound. (xiii) Lespedeza—\$0.10 per pound.
- 44. In § 701.880 Texas, paragraph (i) (17) Payment rate, is amended by deleting the language, "\$0.50 per acre," and substituting therefor the following:
- (i) \$0.30 per acre in Jones and Scurry
 - (ii) \$0.50 per acre in all other counties.
- 45. Section 701.880 (i) is amended by deleting the entire subparagraph (18) and substituting therefor the following:
- (18) Contour farming drilled crops. Applicable only on non-irrigated land. All cultural operations carried out with a lister, field cultivator, or other shoveltype implement, must be carried out on the contour, except where the operation is performed at right angles to the wind to control wind erosion. The seeding operation in all instances must be solidseeded on the contour with a grain drill or other implement accomplishing similar results.

Payment rates:

- (i) \$0.15 per acre in Jones County. (ii) \$0.25 per acre in all other counties.
- 46. Section 701.880 (i) (36) is amended by deleting the language "Application of agricultural sulphur, or its equivalent, as a soil amendment to control chlorosis or to correct extreme soil alkalinity" in the description of the practice, and substituting therefor the following: "Application of soil sulphur or its equivalent to farmland.'
- 47: In § 701.881 Utah, paragraph (j) is amended by deleting subparagraph (9) and substituting therefor the following:
- (9) Contour farming close-drilled crops on cropland. Payment will be made for farming or seeding close-drilled crops parallel to base contour lines. Base contour lines must be established and spaced at intervals not in excess of 300 feet horizontally or 3 feet vertically.

Payment rates:

- (i) 80.75 per acre where all operations, except harvesting, are carried out on the contour, and the base contour lines are permanently marked.
- (ii) \$0.25 per acre where only the seeding operation is on the contour.
- 48. Section 701.881 (j) (44) is amended by deleting the language "2, 4-D chemicals may be paid for only when used on morning glory (bindweed) or Canada thistle," and substituting therefor the following: "2, 4-D chemicals are approved for use on the aforementioned weeds, except quack grass."
- 49. In § 701.884 Washington, paragraph (j) (46) Payment rates, (i) (c) is amended to read as follows:
- (c) 50% of cost but not in excess of \$1.75 per pound of 2, 4-D in the preparation when applied to Canada thistle, bindweed, or whitetop.
- 50. In § 701.886 Wisconsin, paragraph (j) (2) Payment rates, is amended by deleting subdivision (xxii)
- 51. In § 701.887 Wyoming, paragraph (i) (41), Payment rates, is amended by deleting subdivision (v) and substituting therefor the following:
- (v) 50 percent of the cost of the parent acid, but not to exceed \$1.75 per pound of

2,4-D applied to bindweed, whitetop, poverty weed, burdock, perennial sow thistle, Canada thistle, or perennial rag weed.

52. In § 702.830 Alaska, paragraph (a) (3) is amended by deleting the language "\$60.00," and substituting therefor the language "\$200.00."

(49 Stat. 1148, 16 U.S. C. 590g-590q; 1947 National Agricultural Conservation Program Bulletin, as amended (11 F. R. 9467, 11266, 14339))

Approved: April 23, 1947.

[SEAL]

DAVE DAVIDSON. Director Field Service Branch.

[F. R. Doc. 47-4195; Filed, May 2, 1947; 8:46 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

[Lemon Reg. 220]

PART 953-LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.327 Lemon Regulation 220-Findings. (1) Pursuant to the marketing agreement and the order (7 CFR, Cum. Supp., 953.1 et seq.) regulating the handling of lemons grown in the State of California or in the State of Arizona, issued under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended. is insufficient for such compliance.

(b) Order (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., p. s. t., May 4, 1947, and ending at 12:01 a. m., p. s. t., May 11, 1947, is hereby fixed at 415 carloads, or an equivalent quantity.

(2) The prorate base of each handler who has made application therefor, as provided in the said marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation 219 (12 F. R. 2741) and made a part hereof by this reference. The Lemon Administrative Committee, in accordance with the provisions of the said marketing agreement and order, shall calculate the quantity of lemons which may be handled by each such handler during the period specified in subparagraph (1) of this paragraph.

(3) As used in this section, "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said marketing

agreement and order.

(48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U.S. C. 601 et seq.)

Done at Washington, D. C., this 1st day of May 1947.

S. R. SMITH, Director Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 47-4277; Filed, May 2, 1947; 8:46 a. m.]

[Orange Reg. 176]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.322 Orange Regulation 176-Findings. (1) Pursuant to the provisions of the order (7 CFR, Cum. Supp., 966.1 et seq.) regulating the handling of oranges grown in the State of California or in the State of Arizona, issued under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(1) The quantity (b) Order oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., p. s. t., May 4, 1947, and ending at 12:01 a. m., p. s. t., May 11, 1947, is hereby fixed as follows:

(i) Valencia oranges. (a) Prorate District No. 1, 750 carloads; (b) Prorate District No. 2, no movement; and (c) Prorate District No. 3, unlimited movement.

(ii) Oranges other than Valencia oranges. (a) Prorate District No. 1, no

Prorate base

movement; (b) Prorate District No. 2, 600 carloads; and (c) Prorate District No. 3, no movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference. The Orange Administrative Committee, in accordance with the provisions of the said order, shall calculate the quantity of oranges which may be handled by each such handler during the period specified in subparagraph (1) of this paragraph.

(3) As used in this section, "handled," "handler," "carloads," and prorate base" shall have the same meaning as is given to each such term in the said order; and "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 of the rules and regulations (11 F. R. 10258) issued pursuant to said order.

(48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 1st day of May 1947.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable
Branch, Production and Marketing Administration.

PROPERTY BACK SCHEDULE

[12:01 a. m. May 4, 1947, to 12:01 a. m. May 11, 1947]

VALENCIA ORANGES

Prorate District No. 1

Prorate base	3
Handler (percent)	1
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A. F. G. Lindsay	ί
A F G Porterville 1.8303	3
Cooperative Citrus Association 3450)
Cooperative Citrus Association	ŝ
Elderwood Citrus Association 1.2781	
Exeter Citrus Association 1.6969	
Hillside Packing Corp 3.957	
Ivanhoe Mutual Orange Associa-	•
tion 1.0978	3
tion 1.0976 Klink Citrus Association 3.6493	
Lemon Cove Association 1.3460	
Lindsay Citrus Growers Associa-	•
tion 3.4531	
tion 3.4531 Lindsay Coop. Citrus Association_ 2.3423	
Lindsay District Orange Co	
Lindsay Fruit Association 2.5769 Lindsay Orange Growers Associa-	,
tion 6550	
tion 6550	
Orange Cove Citrus Association 2.936	
Orange Packing Co 1.8146	
Orosi Foothill Citrus Association 1.1510	
Paloma Citrus Fruit Association534	
Rocky Hill Citrus Association 2.794	
Sanger Citrus Association 2.538	
Sequoia Citrus Association 7593	
Stark Packing Corp 4.4742	
Visalia Citrus Association 1.2306	
Waddell & Sons 2.3205	5
Orland Orange Growers Associa-	
tion, Inc	
Baird-Neece Corp 2.3097	
Beattle Association, Agnes M2959	•
Grand View Heights Citrus Associa-	
tion 3.4822	
Magnolia Citrus Association 1.8944	Ł
Richgrove-Jasmine Citrus Associa-	
tion 1.1601	L
Sandilands Fruit Co	5
Strathmore Coop. Association 3.0482	2

PROBATE BASE SCHEDULE—Continued VALENCIA ORANGES—continued

Prorate District No. 1—Continued

Prorate base

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strathmore Packing House Co	2.1137	C
Strathmore Packing House Co	1.3293	(
Sunflower Packing Association	2.0004	5
Sunland Packing House	4.1703	_
Summer Picking Route		_
Tule River Citrus Association	1.0308	S
Jensen, M. N.	1.5148	
Kroells Brothers, Ltd Lindsay Mutual Groves	1.5345	2
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Martin Ranch	. 6781	
Stivers Packing Co	1.0797	1
Woodlake Packing House	1.5362	Ī
Trought Problems Houses		-
Randolph Marketing Co., Porter-		
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Anderson Packing Co	1.0337	C
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Them - Duckhorn Docking Co	2.3222	-
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Exeter Groves Packing Co	1.3714	I
Harding & Leggett Lo Bue Brothere	1.6236	
Lo Duo Brothers	.3137	(
TO DIG DIOMETER		•
Marks, W. & M	.0456	
Poimers Non H	. 2285	F
Rooke Packing Co. B. G.	3.2777	Ī
Conden & Come Co. IV. A	.6104	
Snyder & Sons Co., W. A		E
Rooke Packing Co., B. G Snyder & Sons Co., W. A Webb Packing Co., Inc	. 4787	
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Etiwanda Citrus Fruit Accoclation_ Mountain View Fruit Accoclation_ Old Baldy Citrus Accoclation____

Rialto Heights Orange Growers____

Upland Heights Orange Accocla-

Upland Citrus Association...

PROBATE BASE SCHEDULE—Continued

ALL CRANGES OTHER THAN VALENCIA CRANGES—
continued

Prorate District No. 2-Continued

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Handler Concolldated Orange Growers	0.0000
Garden Grove Chirus Association	. 11010
Goldenwest Citrus Association, The_	.0000
Olive Heights Citrus Association	.0000
Santa Ana-Tustin Mutual Citrus	
AssociationSantiago Orange Growers Associa-	.0000
tion	.0000
Tustin Hills Citrus Association	C000.
Villa Park Orchards Association, Inc., The Bradford Brothers Placentia Mutual Orange Associa-	
Inc., The	.0000
Bradford Brothers	.0300
Placentia Mutual Orange Associa-	
tion Placentia Orange Growers Associa-	.0000
Placentia Orange Growers Associa-	2000
tionCall RanchCorona Citrus Association	.0000 .8021
Corone Citrue Association	.9753
Jameson Company	4550
Jameson Company Orange Heights Orange Association_	1.0342
Break & Son, Allen Bryn Mawr Fruit Growers Accocia-	.4201
Bryn Mawr Fruit Growers Accocia-	-
tion	1.3254
Crafton Orango Growers Associa-	
tion	1.6317
E. Highlands Citrus Association	5155
Fontana Citrus Association Highland Fruit Growers Associa-	.5423
	.8316
Krinard Packing Co	1.8511
Miccion Citrus Association	.9729
Krinard Packing Co. Mission Citrus Association. Redlands Coop. Fruit Association.	2.1466
Redlands Heights GrovesRedlands Orange Growers Associa-	1.1141
Redlands Orange Growers Associa-	
Redlands Orangedale Association	1.4508
Redlands Orangedale Association	1.1670
Redlands Select Groves	.6394
Rialto Citrus Association	6312
Rialto Orange Co Southern Citrus Association	.4534 1.3421
United Citrus Growers	.8742
Zilen Citrus Growers	1.2224
Arlington Heights Fruit Co	.5518
Brown Estate, L. V. W.	2.2328
Brown Estate, L. V. W	2,0733
Hemet Mutual Groves	.4325
Highgrove Fruit Association	7666
McDermont Fruit Co	2.0531
Mentone Heights Association	1.1263
Monte Vista Citrus Association	1.4347
National Orange Co	1.0334
Accodation	1.5326
Sierra Vista Packing Association	.9556
Victoria Ave. Citrus Association	3,0429
Claremont Citrus Association	1.2105
College Heights Orange and Lemon	
AssociationEl Camino Citrus Association	1.2304
El Camino Citrus Association	.6413
Indian Hill Citrus Association	1.4352
Pomona Fruit Growers Association	2.4320 4373
Walnut Fruit Growers Association_ West Ontario Citrus Association	.4973 1.9145
El Cajon Valley Citrus Association	.6030
Econdido Orange Association	.0000
San Dimas Orange Growers Asso-	*******
clation	1.4082
Coving Citrus Association	.0000
Covina Orange Growers Associa-	
tion	.6150
Duarte-Monrovia Fruit Exchange	.0000
Ball & Tweedy Association	.0000
Canoga Citrus Association	.000
N. Whittier Heights Citrus Associa-	
tion	.0000
San Fernando Fruit Growers Asso-	6666
clation	C000.
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clation Sierra Madre Lamanda Citrus Asso-	.0000
ciation	.0000
Camarillo Citrus Association	.0300
Fillmore Citrus Association	.0880
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PRORATE BASE SCHEDULE—Continued
ALL ORANGES OTHER THAN VALENCIA ORANGES—
continued

Prorate District No. 2-Continued

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Olai Orange Association	0.0000
Ojai Orange Association Piru Citrus Association	.0000
Santa Paula Orange Association	.0000
Tano Citrus Association	.0122
East Whittier Citrus Association	.0000
Whittier Citrus Association	.0000
Whittier Select Citrus Association.	.0000
Anaheim Cooperative Orange Asso-	.0000
ciationBryn Mawr Mutual Orange Associa-	.0000
Hon	. 6024
tion Chula Vista Mutual Lemon Asso-	.00-1
ciation	.0000
ciationEscondido Cooperative Citrus Asso-	
ciation Euclid Avenue Orange Association_	.0000
Euclid Avenue Orange Association.	2.7244
Foothill Citrus Union, Inc	.0000
Fullerton Cooperative Orange Asso-	
ciation	.0000
Garden Grove Orange Cooperative Glendora Cooperative Citrus Asso-	.0000
Glendora Cooperative Citrus Asso-	0000
Golden Orange Groves, Inc	.0000 .5031
Highland Mutual Groves, Inc	.0000
Index Mutual Association	.0000
La Verne Cooperative Citrus Asso-	.0000
ciation	3.3349
Olive Hillside Groves, Inc	.0000
Orange Cooperative Citrus Associa-	
tion	0000
Redlands Foothill Groves	2.6773
Redlands Mutual Orange Associa-	
tion	.0000
Riverside Citrus Association Ventura County Orange & Lemon	.0000
Association	.0000
AssociationWhittier Mutual Orange & Lemon	.0000
Association	.0000
Babijuice Corp. of California	.0000
Banks Fruit Co	.0000
	.0000
California Fruit Distributors Cherokee Citrus Co., Inc	1,3337
Chess Co., Meyer W	. 5335
Chess Co., Meyer W Evans Brothers Packing Co	9288
Gold Banner Association	2.3477
Granada Hills Packing CoGranada Packing House	. 0279
Granada Packing House	.0000
Hill, Fred A	. 8746
Inland Fruit Dealers, Inc	. 2899
Orange Belt Fruit Distributors Panno Fruit Co., Carlo	2.7124 .0000
Paramount Citrus Association	.0000
Riverside Growers, Inc	.5300
San Antonio Orchards Association.	1.5607
Snyder & Sons Co., W. A.	1.2314
Snyder & Sons Co., W. A Verity & Sons Co., R. H	.0000
Wall, E. T.	1.8652
Wall, E. T	
lands	3.3266
Yorba Orange Growers Association	.0395

[F. R. Doc. 47-4278; Filed, May 2, 1947; 8:40 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry,
Department of Agriculture

PART 132—GENERAL REGULATIONS
MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by Public Law 320, 74th Congress, approved August 24, 1935 (7 U. S. C. 851 et seq.) and the Administrative Procedure Act (60 Stat. 237) the rules of practice and procedure (9 CFR, Cum. Supp., 132.1 et seq.), is-

sued under said Public Law 320, are hereby amended as follows:

- 1. Delete paragraph (d) from § 132,2 Definitions and insert in lieu thereof the following:
- (d) The term "examiner" means any examiner in the Office of Hearing Examiners, United States Department of Agriculture.
- 2. Delete from § 132.2 (k) the words "Office of the Solicitor."
 - 3. Amend § 132.2 (1) to read as follows:
- (1) The term "presiding officer" means the examiner conducting a proceeding under the act.
- 4. Amend the last sentence of the first paragraph of § 132.3 *Proposals* to read as follows: "If the investigation and consideration lead the Chief to conclude that the proposed marketing agreement or marketing order will not tend to effectuate the declared policy of the act, or that for other proper reasons a hearing should not be held on the proposal, he shall deny the application, and promptly notify the application, and promptly notify the applicant of such demal, which notice shall be accompanied by a brief statement of the grounds for the demal."
- 5. Amend the second sentence of § 132.4 (a) to read as follows: "The notice of hearing shall contain a reference to the authority under-which the marketing agreement or marketing order is proposed; shall define the scope of the hearing as specifically as may be practicable; shall contain either the terms or substance of the proposed marketing agreement or marketing order or a description of the subjects and issues involved; and shall state the industry, area, and class or classes of persons to be regulated, the time and place of such hearing, and the place where copies of such proposed marketing agreement or marketing order may be obtained or examined."
- 6. Amend § 132.6 (a) to read as follows:
- § 132.6 Presiding officers—(a) Assignment. No presiding officer who has any pecuniary interest in the outcome of a proceeding shall serve as presiding officer in such proceeding.
- 7. Delete from § 132.6 (b) the words "assigned to him by the Solicitor."
- 8. Amend § 132,6 (c) to read as follows:
- (c) Who may act in absence of presiding officer. In case of the absence of the presiding officer or his mability to act, the powers and duties to be performed by him under this part in connection with a proceeding may, without abatement of the proceeding unless otherwise ordered by the Secretary, be assigned to any other presiding officer.
- 9. Add a new paragraph at the end of § 132.6 to read as follows: '
- (d) Disqualification of presiding officer. The presiding officer may at any time withdraw as presiding officer in a proceeding if he deems himself to be disqualified. Upon the filing by an interested person in good faith of a timely and sufficient affidavit of personal bias

or disqualification of a presiding officer, the Secretary shall determine the matter as a part of the record and decision in the proceeding, after making such investigation or holding such hearings, or both, as he may deem appropriate in the circumstances.

- 10. Amend § 132.7 to read as follows:
- § 132.7 Motions and requests—(a) General. All motions and requests shall be filed with the hearing clerk, except that those made during the course of the hearing may be filed with the presiding officer or may be stated orally and made a part of the transcript.

Except as provided in § 132.15 (b) such motions and requests shall be addressed to, and ruled on by, the presiding officer if made prior to his certification of the transcript pursuant to § 132.10 or by the Secretary if made thereafter.

(b) Certification to Secretary. The presiding officer may in his discretion submit or certify to the Secretary for decision any motion, request, objection, or other question addressed to the presiding officer.

11. Amend the third sentence of § 132.8 (d) (1) to read as follows:

- § 132.8 Conduct of the hearing—(d) Evidence—(1) In general * * * * Cross-examination shall be permitted to the extent required for a full and true disclosure of the facts.
- 12. Delete § 132.8 (d) (3) and renumber § 132.8 (d) (4), (5), (6) and (7) as § 132.8 (d) (3), (4), (5) and (6) respectively.
- 13. Delete from § 132.8 (d) (4) (heretofore § 132.8 (d) (5)) the parenthetical words "(including affidavits)"
- '14. Amend § 132.8 (d) (5) (heretofore § 132.8 (d) (6)) to read as follows:
- (5) Official notice. Official notice may be taken of such matters as are judicially noticed by the courts of the United States and of any other matter of technical, scientific or commercial fact of established character: Provided, That interested persons shall be given adequate notice, at the hearing or subsequent thereto, of matters so noticed and shall be given adequate opportunity to show that such facts are inaccurate or are erroneously noticed.
- _15. Amend § 132.9 (b) to read as follows:
- § 132.9 Oral and written arguments.
- (b) Briefs, proposed findings and conclusions. The presiding officer shall announce at the hearing a reasonable period of time within which interested persons may file with the hearing clerk proposed findings and conclusions, and written arguments or briefs, based upon the evidence received at the hearing, citmg, where practicable, the page or pages of the transcript of the testimony where such evidence appears. Factual material other than that adduced at the hearing or subject to official notice shall not be alluded to therein, and, in any case, shall not be considered in the formulation of the marketing agreement or marketing order. If the person filing a brief desires the Secretary to consider

any objection made by any such person to a ruling of the presiding officer, as hereinbefore provided in § 132.8 (d) he shall include in the brief a concise statement concerning each such objection. referring, where practicable, to the pertinent pages of the transcript.

16. Amend the heading and first sentence of § 132.10 to read as follows:

§ 132.10 Certification of the transcript. The presiding officer shall notify the hearing clerk of the close of a hearing as soon as possible thereafter and of the time for filing written arguments. briefs, proposed findings and proposed conclusions, and shall furnish the hearing clerk with such other information as may be necessary.

17. Amend § 132.12 to read as follows:

§ 132.12 Chief's recommended decision-(a) Preparation. As soon as practicable following the termination of the period allowed for the filing of written arguments or briefs and proposed findings and conclusions, the Chief shall file with the hearing clerk a recommended decision.

(b) Contents. The Chief's recommended decision shall include: (1) A preliminary statement containing a description of the history of the proceedings, a brief explanation of the material issues of fact, law, or discretion presented on the record, and proposed findings and conclusions with respect to such issues as well as the reasons or basis therefor; (2) a ruling upon each proposed finding or conclusion submitted by interested persons; and (3) an appropriate proposed marketing agreement or marketing order effectuating his recommendations.

(c) Exceptions to recommended decision. Immediately following the filing of his recommended decision, the Chief shall give notice thereof, and opportunity to file exceptions thereto, to all interested persons in the same manner as provided in § 132.4 (relating to the giving of notice of the hearing) Within a period of time specified in such notice (to be fixed by the Chief, but not to exceed 20 days) after the filing of the recommended decision with the hearing clerk. any interested person may then file with the hearing clerk, exceptions to the Chief's proposed marketing agreement or marketing order, or both, as the case may be, and a brief in support of such exceptions. Such exceptions shall be in writing, shall refer, where practicable, to the related pages of the transcript and may suggest appropriate changes in the proposed marketing agreement or marketing order. -

(d) Omission of recommended decision. The procedure provided in this section may be omitted only if the Secretary finds on the basis of the record that due and timely execution of his functions imperatively and unavoidably requires such omission.

18. Amend § 132.13 to read as follows:

§ 132.13 Submission to Secretary. Upon the expiration of the period allowed for filing exceptions or upon request of the Secretary, the hearing clerk shall transmit to the Secretary the rec-

ord of the proceeding. Such record shall include: all motions and requests filed with the hearing clerk and rulings thereon: the certified transcript; any proposed findings or conclusions or written arguments or briefs that may have been filed; the Chief's recommended decision, if any, and such exceptions as may have been filed.

19. Add a new § 132.13a to read as follows:

§ 132.13a Decision by Secretary. (a) After due consideration of the record, the Secretary shall render a decision.

(b) Such decision shall become a part of the record and shall include (1) a statement of his findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, (2) a ruling upon each proposed finding and proposed conclusion not previously ruled upon in the record, (3) a ruling upon each exception filed by interested persons, and (4) either (i) a denial of the proposal to issue a marketing agreement or marketing order or (ii) a marketing agreement and, if the findings upon the record so warrant, a marketing order, the provisions of which shall be set forth directly or by reference, regulating the handling of anti-hog-cholera serum and hog-cholera virus in the same manner and to the same extent as such marketing agreement, which order shall be complete except for its effective date and any determinations to be made under § 132.14 (b) Provided, That such marketing order shall not be executed, issued, or made effective until and unless the Secretary determines that the requirements of § 132.14 (b) have been met.

20. Amend § 132.14 to read as follows:

§ 132.14 Execution of marketing agreement and issuance of marketing Execution of marketing order—(a) agreement. If the Secretary has approved a marketing agreement, as provided in § 132.13a, the Chief shall cause copies thereof to be distributed for execution by the handlers eligible to become parties thereto. If and when such number of the handlers as the Secretary shall deem to be sufficient shall have executed the marketing agreement, the Secretary shall execute the same, and notice of its effective date shall be mailed by the hearing clerk to each person signatory thereto. A marketing agreement shall be effective and binding upon any party thereto even though such party may not have received the notice provided for in this paragraph, or the hearing clerk may have failed to mail such notice.

(b) Issuance of marketing order with marketing agreement. Whenever, as provided in paragraph (a) of this section, the Secretary executes a marketing agreement, and handlers also have executed the same as provided in section 59 of the act, he shall, if he finds that it will tend to effectuate the purposes of the act, issue and make effective the marketing order, if any, which was filed as a part of his decision pursuant to § 132.13a.

(c) Effective date of marketing order. No marketing order shall become effective less than 30 days after its publication in the FEDERAL REGISTER, unless the

Secretary, upon good cause found and published with the order, fixes an earlier effective date therefor: Provided. That no marketing order shall become effective as to any person sought to be charged thereunder before either (1) it has been filed with the Division of the Federal Register, or (2) such person has received actual notice of the issuance and terms of the marketing order.

(d) Notice of assuance. After the issuance of a marketing order, such order shall be filed with the hearing clerk, and notice thereof, together with notice of the effective date, shall be given in the same manner as hereinbefore provided in § 132.4 (relating to the giving of notice

of hearing).

21. Amend § 132.15 (b) to read as follows:

§ 132.15 Filing; extension of time; effective date of filing; and computation of time.

(b) Extensions of time. The time for the filing of any document or paper required or authorized by the foregoing provisions of this subpart to be filed may be extended by the presiding officer (before the record is certified by the presiding officer) or by the Chief (after the record is so certified by the presiding officer but before it is transmitted to the Secretary) or by the Secretary (after the record is transmitted to the Secretary) upon request filed, and if, in the judgment of the presiding officer, Chief, or the Secretary, as the case may be, there is good reason for the extension. All rulings made pursuant to this paragraph shall be filed with the hearing clerk.

22. Add a new § 132.18 to read as follows:

§ 132.18 Hearing before Secretary. The Secretary may act in the place and stead of a presiding officer in any pro-ceeding hereunder. When he so acts the hearing clerk shall transmit the record to the Secretary at the expiration of the period provided for the filing of proposed findings of fact, conclusions and orders, and the Secretary shall thereupon, after due consideration of the record, issue his final decision in the proceeding: Provided, That he may issue a tentative decision in which event the parties shall be afforded an opportunity to file exceptions before the issuance of the final decision.

23. Dalete § 132.51 (d) and insert the following in lieu thereof:

§ 132.51 Definitions. *

- (d) The term "examiner" means any examiner in the Office of Hearing Examiners, United States Department of Agriculture.
- 24. Delete from § 132.51 (n) the words "Office of the Solicitor."
- 25. Amend § 132.51 (o) to read as fol-
- (o) The term "presiding officer" means the examiner conducting a proceeding under the act.
- 26. Amend § 132.51 (p) to read as fol-
- (p) The term "presiding officer's report" means the presiding officer's re-

No. 88---2

port to the Secretary and includes the presiding officer's proposed (1) findings of fact and conclusions with respect to all material issues of fact, law or discretion, as well as the reasons or basis therefor, (2) order and (3) rulings on findings, conclusions and orders submitted by the parties.

- 27. Add a new paragraph at the end of § 132.51 to read as follows:
- (q) The term "petition" includes an amended petition.
- 28. Amend § 132.52 (c) to read as follows:
- \$132.52 Institution of proceeding. * * *
- (c) Application to dismiss petition-(1) Filing, contents, and responses thereto. If the Chief is of the opinion that the petition, or any portion thereof, does not substantially comply, in form or content, with the act or with the requirements of paragraph (b) of this section, or is not filed in good faith, or is filed for purposes of delay, he may, within 30 days after the filing of the petition, file with the hearing clerk an application to dismiss the petition, or any portion thereof, on one or more of the grounds stated in this paragraph. Such application shall specify the grounds of objection to the petition and, if based, in whole or in part, on allegations of fact not appearing on the face of the petition, shall be accompanied by appropriate affidavits or documentary evidence substantiating such allegations of fact. The application may be accompanied by a memorandum of law. Upon receipt of such application, the hearing clerk shall cause a copy thereof to be served upon the petitioner, together with a notice stating that all papers to be submitted in opposition to such application, including any memorandum of law, must be filed by the petitioner with the hearing clerk not later than 20 days after the service of such notice upon the petitioner. Upon the expiration of the time specified in such notice, or upon receipt of such papers from the petitioner, the hearing clerk shall transmit all papers which have been filed-in connection with the application to the Secretary for his consideration.
- (2) Decision by Secretary. The Secretary, after due consideration, shall render a decision upon the application, stating the reasons for his action. Such decision shall be in the form of an order and shall be filed with the hearing clerk who shall cause a copy thereof to be served upon the petitioner and a copy thereof to be transmitted to the Chief. Any such order of the Secretary shall be a final order: Provided, That within 20 days following the service upon the petitioner of a copy of an order of the Secretary dismissing the petition, or any portion thereof, on the ground that it does not substantially comply in form and content with the act or with paragraph (b) of this section, the petitioner shall be permitted to file an amended petition.
- (3) Referral to presiding officer The Secretary may, in his discretion, refer any application made under this section to the presiding officer for preliminary consideration and report, and, in a proper case, for the taking of evidence:

Provided, That the provisions of §§ 132.60 to 132.65, inclusive, shall be applicable to the reception of such evidence, if any the form, content, and filing of such report; the allowance of exceptions thereto; and transmittal of the record to the Secretary.

- (4) Oral argument. Unless a written application for oral argument is filed by a party with the hearing clerk not later than the time fixed for filing papers in opposition to the application, it shall be considered that the party does not desire oral argument. The granting of a request to make oral argument shall rest in the discretion of the Secretary or the presiding officer, as the case may be.
- 29. Add a new § 132.52a to read as follows:

§ 132.52a Answer to petition—(a) Time of filing. Within 30 days after the filing of the petition, the Chief shall file an answer thereto: Provided, That, if an application to dismiss the petition, in whole or in-part, is made pursuant to § 132.52 (c) the answer shall be filed within 15 days after the filing of an order of the Secretary denying the application or granting the application with respect to only a portion of the petition. The answer shall be filed with the hearing clerk who shall cause a copy thereof to be served promptly upon the petitioner.

(b) Contents. The answer shall specify which of the material allegations of fact or of law in the petition are controverted and which are not controverted. The answer also may contain affirmative allegations of fact constituting separate defenses and statements of objections to the sufficiency of the whole or any part of the petition.

30. Add a new § 132.52b to read as follows:

- § 132.52b Amended pleadings. At any time before the close of the hearing the patition or answer may be amended, but the hearing shall, at the request of the adverse party, be adjourned or recessed for such reasonable time as the presiding officer may designate to be necessary to protect the interests of the parties. Amendments subsequent to the first amendment or subsequent to the first amendment or subsequent to the filling of an answer may be made only with leave of the presiding officer or with the written consent of the adverse party.
 - 31. Amend § 132.55 to read as follows:

§ 132.55 Presiding officers—(a) Assignment. No presiding officer who has any pecuniary interest in the outcome of the proceeding, or who has participated in the investigation preceding the institution of the proceeding, shall serve as presiding officer in such proceeding.

as presiding officer in such proceeding.

(b) Conduct. The presiding officer shall conduct the proceeding in a fair and impartial manner and shall not discuss ex parte the merits of the proceeding with any person who is or who has been connected in any manner with the proceeding in an advocative or investigative capacity.

(c) Powers of presiding officers. Subject to review by the Secretary, as provided elsewhere in this subpart, the presiding officer shall have power to:

- (1) Rule upon motions and requests;(2) Adjourn the hearing from time to
- time, and change the time and place of hearing;
- (3) Administer oaths and affirmations and take affidavits;
- (4) Issue subpenas, under the facsimile signature of the Secretary requiring the attendance and testimony of witnesses and the production of books, records, contracts, papers, and other documentary evidence;
- (5) Examine witnesses and receive evidence;
- (6) Take or order, under the facsimile signature of the Secretary, the taking of depositions;
 - (7) Admit or exclude evidence;
- (8) Hear oral argument on facts or law.
- (9) Consolidate hearings upon two or more petitions pertaining to the same order.
- (10) Do all acts and take all measures necessary for the maintenance of order at the hearing and the efficient conduct of the proceeding.
- (d) Who may act in absence of presiding officer. In case of the absence of the presiding officer or his inability to act, the powers and duties to be performed by him under these rules of practice in connection with a proceeding may, without abatement of the proceeding unless otherwise ordered by the Secretary, be assigned to any other presiding officer.
- (e) Disqualification of presiding officer The presiding officer may at any time withdraw as presiding officer in a proceeding if he deems himself to be disqualified. Upon the filing by an interested person in good faith of a timely and sufficient affidavit of personal bias or disqualification of a presiding officer, the Secretary shall determine the matter as a part of the record and decision in the proceeding, after making such investigation or holding such hearings, or both, as he may deem appropriate in the circumstances.
- 32. Delete from § 132.56 Consolidated hearings the words "the Solicitor or."
- 33. Delete from paragraph (a) Time and place of § 132.60 Oral hearings before presiding officer the words "The Solicitor or the presiding officer" and insert in lieu thereof the words "The presiding officer."
- 34. Amend the first sentence of § 132.61 (a) to read as follows:
- § 132.61 Depositions—(a) Procedure in lieu of depositions. Before any party may have testimony taken by deposition, said party shall, if practicable, submit to the other party an affidavit which shall set forth the facts to which the witness would testify if the deposition should be taken.
- 35. Delete from paragraph (b) Suggested findings of fact, conclusions and orders of § 132.64 The presiding officer's report, and § 132.65 Transmittal of record the word "suggested" wherever it appears and insert, in lieu thereof, the word "proposed."
- 36. Amend § 132.64 (c) to read as follows:

- (c) Presiding officer's report. The presiding officer, within a reasonable time after the termination of the period allowed for the filling of proposed findings of fact, conclusions, and orders, and briefs in support thereof, shall prepare, upon the basis of the record, and shall file with the hearing clerk, his report, a copy of which (together with notification of the date fixed by the presiding officer for the filling of exceptions thereto) shall be served by the hearing clerk upon each of the parties.
- 37. Amend paragraph (b) Service; proof of service of § 132.69 Filing; service; extensions of time; effective date of filing; and computation of time by deleting the proviso therein and by deleting from the final sentence the words "or post office receipt."

38. Amend § 132.69 (c) to read as

- (c) Extensions of time. The time for the filing of any documents or papers required or authorized in this subpart to be filed may be extended upon (1) a written stipulation between the parties, or (2) upon the request of a party, by the presiding officer before the transmittal of the record to the Secretary, or by the Secretary at any other time, if, in the judgment of the Secretary or the presiding officer, as the case may be, there is good reason for the extension.
- 39. Add a new 132.70 to (read as follows:

§ 132.70 Applications for interim relief—(a) Filing the application. A person who has filed a petition pursuant to § 132.52 may, by separate application filed with the hearing clerk, apply to the Secretary for an order postponing the effective date of, or suspending the application of, the marketing order or any provision thereof, or any obligation imposed in connection therewith, pending final determination of the proceeding.

(b) Contents of the application. The application shall contain a statement of the facts upon which the relief is requested, including any facts showing irreparable injury. The application must be signed and sworn to by the petitioner and any facts alleged therein which are not within his personal knowledge shall be supported by affidavits of a person or persons having personal knowledge of such facts or by proper documentary evidence thereof.

(c) Answer to application. Immediately upon receipt of the application, the hearing clerk shall transmit a copy thereof, together with all supporting papers, to the Chief, who shall, within 20 days, or such other time fixed by the Secretary, after the filing of the application, file an answer thereto with the hearing clerk.

(d) Contents of answer. The answer shall contain a statement of the objections, if any, of the Chief to the application for interim relief, and may be supported by affidavits and documentary evidence.

(e) Transmittal to Secretary. Upon receiving the answer of the Chief, or upon the expiration of the time for filing the answer, the hearing clerk-shall transmit to the Secretary for his decision all pa-

pers filed in connection with the application.

(f) Hearing and oral argument. The Secretary may, in his discretion, permit oral argument or the taking of testimony in connection with such application. However, unless written request therefor is filed with the hearing clerk prior to the transmittal of the papers to the Secretary, the parties shall be deemed to have waived oral argument and the taking of testimony.

(g) Decision by Secretary. The Secretary may grant or deny the application. Any action taken by the Secretary shall be in the form of an order filed with the hearing clerk and shall contain a brief statement of the reasons for the action taken. The hearing clerk shall cause copies of the order to be served upon the parties.

40. Add a new § 132.71 to read as follows:

§ 132.71 Hearing before Secretary. The Secretary may act in the place and stead of a presiding officer in any proceeding hereunder. When he so acts the hearing clerk shall transmit the record to the Secretary at the expiration of the period provided for the filling of proposed findings of fact, conclusions and orders, and the Secretary shall thereupon, after due consideration of the record, issue his final order in the proceeding: Provided, That he may issue a tentative order in which event the parties shall be afforded an opportunity to file exceptions before the issuance of the final order.

Note: Unless otherwise ordered all proceedings initiated under Public Law 320 (7 U.S. G. 851 et seq.) and pending on December 11, 1946, shall be conducted and concluded in accordance with the applicable rules of practice in effect at the time the proceedings were instituted.

(49 Stat. 781, 60 Stat. 237, 7 U.S. C. 851 et seq.)

Done at Washington, D. C., this 24th day of April 1947. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

CLINTON P. ANDERSON, Secretary of Agriculture.

Approved: April 29, 1947.

Harry S. Truman,
President of the United States.

[F. R. Doc. 47-4194; Filed, May 2, 1947; 8:46 a. m.]

TITLE 10—ARMY WAR DEPARTMENT

Subtitle A—Organizations, Functions and Procedures

PART 2—ORGANIZATION, FUNCTIONS, AND PROCEDURES OF AGENCIES DEALING WITH THE PUBLIC

SECRETARY OF WAR'S BOARD ON CORRECTION OF MILITARY RECORDS

Correction

In Federal Register Document 47–4088, appearing at page 2799 of the issue for Wednesday, April 30, 1947, the word "bases" in § 2.23 (b) should read "basis"

TITLE 15—COMMERCE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Comerce

PART 370—OFFICE OF MATERIALS DISTRIBUTION ²

Sec.

370.1 Creation.

370.2 General purpose and functions.

370.3 Organization.

370.4 Functions of organization units.

AUTHORITY: §§ 370.1 to 370.4, inclusive, issued under E. O. 9341, April 23, 1947.

§ 370.1 Creation. The Office of Materials Distribution was created by Department Order No. 69 of May 4, 1947, as the organization through which the Secretary of Commerce will carry out the functions transferred to him by Executive Order No. 9841 dated April 23, 1947.

§ 370.2 General purpose and functions. The general purpose and functions of the Office of Materials Distribution are, in accordance with the authority vested in the Secretary of Commerce by Executive Order No. 9841, (a) to liquidate and terminate the non-continuing functions within the minimum time, (b) to carry out the continuing functions in conformity with the statutory authority applicable to these functions, and (c) to integrate, in due course, the functions of a continuing or permanent nature into the established organization of the Department of Commerce.

§ 370.3 Organization. The Office of Materials Distribution consists of the (a) Office of the Director, (b) Rubber Division, (c) Chemicals Division, (d) Metals Division, (e) Cordage Division, and (f) Liquidation Division.

§ 370.4 Functions of organization units—(a) The Office of the Director is responsible for performing all functions transferred to the Secretary of Commerce by Executive Order No. 9841 which have been delegated to the director, except functions assigned by this part, or subsequently assigned by the director, to other constituent units of the Office of Materials Distribution. These functions include, but are not limited to, final determinations with respect to the functions specified under section 203 (a) (b) and (d) of Part II of Executive Order No. 9841.

(b) The materials divisions within the Office of Materials Distribution are responsible for assisting in the performance of the functions retained in the Office of the Director and also will carry out the following specific assignments for the director:

(1) The Rubber Division will carry out functions under the provisions of the Joint Resolution to strengthen the common defense by maintaining an adequate domestic rubber-producing industry (P. L. 24—80th Congress) and administer rubber orders and regulations issued pursuant to Title III of the Second War Powers Act of 1942, as amended;

(2) The Chemicals Division will carry out functions under the provisions of the

¹Regulations of the Office of Materials Distribution appear at 32 CFR Chapter IX.

First Decontrol Act of 1947 (P L. 29—80th Congress) as they apply to cinchona bark and cinchona alkaloids, and streptomycin and administer orders and regulations related thereto issued pursuant to the provisions of Title III of the Second War Powers Act, as amended;

(3) The Metals Division will carry out functions under the provisions of the First Decontrol Act of 1947 (P L. 29—80th Congress) as they apply to tin and tin products, and antimony and admister orders and regulations related thereto issued pursuant to the provisions of Title III of the Second. War Powers Act, as amended; and

(4) The Cordage Division will carry out functions under the provisions of the First Decontrol Act of 1947 (P. L. 29, 80th Congress) as they apply to manila (abaca) fiber and cordage, and agave fiber and cordage and administer orders and regulations related thereto issued pursuant to the provisions of Title III of the Second War Powers Act, as amended.

(c) The Liquidation Division is responsible for liquidating all parts of former CPA activities not carried on by the other constituent units of the Office of Materials Distribution, including but not limited to historical records activities; records disposal; management activities; amortization activities under section 124 of the Internal Revenue Code, as amended; development of information on claims against the United States on account of property requisitioned by the Chairman of the War Production Board or his predecessors or relating to the expansion of the capacity of defense plants alleged to have been undertaken at the request of the War Production Board or its predecessor agencies; and other activities as assigned by the Director of the Office of Materials Distribution.

In addition to the above functions, the Liquidation Division will furnish the Ofofice of Materials Distribution with necessary personnel, fiscal, procurement, and other routine management services.

Dated: May 2, 1947.

H. B. McCoy,
Director,
Office of Materials Distribution.

B. Doc. 47-4307: Filed, May 2, 194

[F. R. Doc, 47-4307; Filed, May 2, 1947; 11:37 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Housing Expediter Rent Control Order 1]

PART 820—RENT CONTROL ORDERS UNDER THE EMERGENCY PRICE CONTROL ACT OF 1942 AS AMENDED

ADOPTION BY THE HOUSING EXPEDITER OF REGULATIONS, ORDERS, DELEGATIONS OF AU-THORITY AND ORGANIZATION OF THE OFFICE OF TEMPORARY CONTROLS (OFFICE OF PRICE ADMINISTRATION) RELATING TO RENT CONTROL.

§ 820.1 Adoption by the Housing Expediter of regulations, orders, delegations of authority and organization of the Office of Temporary Controls (Office of Price Administration) relating to rent

control—(a) What this section does. By Parts II and IV of Executive Order 9841, issued April 23, 1947, the President has transferred to the Housing Expediter, effective May 4, 1947, all functions of the Temporary Controls Administrator and of the Office of Temporary Controls with respect to rent control. In order to carry out the functions transferred to the Housing Expediter by this Executive order, the Housing Expediter is adopting all regulations, orders and other documents of the Office of Temporary Controls (Office of Price Administration) concerning or affecting rent control and continuing them in effect as Housing Expediter regulations, orders and documents. As it is not practicable at this

time to reissue these regulations, orders and other documents in the name of the Housing Expediter, this section provides for their adoption in a single document, and sets forth the effect of the adoption.

(b) Adoption by Housing Expediter of certain Office of Temporary Controls (Office of Price Administration) regulations and orders. The following regulations and orders of the Temporary Controls Administrator and Office of Temporary Controls (Office of Price Administration) are adopted, ratified, and confirmed as Housing Expediter actions, to the same extent as if issued in his name, and shall remain in full force and effect until revoked or amended by the Housing Expediter:

Section No.	Regulation	Issuo dato	Federal Reg- ister cita- tion
1388.1181	Rent Regulation for Housing (incl. Admts. 1-104) Amendment No. 105 Amendment No. 106 Amendment No. 107 Amendment No. 108 Correction to Ammt. 108 Amendment No. 109 Amendment No. 110 Amendment No. 111 Amendment No. 112 Amendment No. 113 Amendment No. 113 Amendment No. 113 Regulation for Transient Hotels, Residential Hotels, Reguning Houses and Motor Courts (Incl. Amdts. 1-97).		11 FR 120.55 11 FR 13023 11 FR 13309 11 FR 14013 11 FR 14180 11 FR 1472 12 FR 229 12 FR 920 12 FR 1443 12 FR 1054 12 FR 2167 12 FR 2772 11 FR 13032
1388,1291	Rooming Houses amd Motor Courts (Incl. Amdds. I-97). Amendment No. 98. Correction to Amdt. 98. Amendment No. 100. Amendment No. 101. Correction to Amdt. 101. Amendment No. 102. Amendment No. 103. Amendment No. 104. Amendment No. 105. Amendment No. 106. Rent Regulation for Transient Hotels, Residential Hotels, Rooming Houses and Motor Courts in the New York City Defense-Rental Area (Incl. Amdts. 1-24). Correction to Collation (Amdts. 1-24).	Nov. 1, 1946 Jan. 17, 1947 Nov. 7, 1946 Nov. 29, 1946 Dec. 6, 1946 Dec. 19, 1946	11-FR 13054 12 FR 409 11 FR 13305 11 FR 14013 11 FR 14187 11 FR 14571 12 FR 305 12 FR 1414 12 FR 2169 12 FR 2353 12 FR 2770 11 FR 4025
1388.1281	Amendment No. 25 Amendment No. 25 Amendment No. 25 Amendment No. 28 Amendment No. 29 Amendment No. 30 Correction to Amdt. 30 Amendment No. 31 Amendment No. 32 Rent Regulation for Housing in the New York City Defense-	Apr. 23, 1946 May 31, 1946 May 27, 1946 July 26, 1946 Sept. 18, 1946 Oct. 31, 1946 Dec. 6, 1946 Dec. 19, 1946 Jan. 17, 1947 Apr. 9, 1947 May 20, 1946	11 FR 4583 11 FR 6951 11 FR 6823 11 FR 8164 11 FR 10529 11 FR 10529 11 FR 14671 12 FR 393 12 FR 2359 11 FR 6542
1388.1401	Amendment No. 29. Amendment No. 30. Amendment No. 31. Amendment No. 32. Correction to Amdt. 32. Amendment No. 33. Amendment No. 34. Amendment No. 35. Amendment No. 35. Amendment No. 35. Amendment No. 36. Rent Regulation for Transient Hotels, Residential Hotels,	July 26, 1946 July 29, 1946 Sept. 20, 1946 Oct. 15, 1946 Dec. 6, 1946 Dan. 14, 1947 Feb. 7, 1947 Feb. 77, 1947 Fob. 78, 1947 Jan. 8, 1945	11 FR 6924 11 FR 8149 11 FR 8163 11 FR 10659 11 FR 12003 11 FR 14572 12 FR 230 12 FR 107 12 FR 1107 12 FR 1935 10 FR 318
1385,1241	Rooming Houses and Motor Courts in Miami Defense-Rental Area (Incl. Amdis. 1-11). Amendment No. 12 Amendment No. 13 Amendment No. 14 Amendment No. 15 Amendment No. 16 Amendment No. 17 Amendment No. 18 Amendment No. 19 Amendment No. 20 Amendment No. 20 Amendment No. 21 Amendment No. 21 Amendment No. 22 Amendment No. 23 Amendment No. 23 Amendment No. 24 Amendment No. 24 Amendment No. 25 Rent Regulation for Housing in the Miami Defense-Rental	Sept. 17, 1946 Oct. 31, 1946 Dcc. 6, 1916 Jan. 17, 1947 Apr. 9, 1947	10 FR 2105 10 FR 6050 10 FR 9445 10 FR 11071 10 FR 15212 11 FR 6136 11 FR 8163 11 FR 10510 11 FR 12916 11 FR 14187 12 FR 2301 11 FR 2301 11 FR 12916
1388.1411	Area (incl. Amdis, 1-27). Amendment No. 28 Amendment No. 29 Amendment No. 30 Amendment No. 31 Rent Regulation for Housing in the Atlantic County Defense-	Dec. 6, 1946 Jan. 14, 1947 Feb. 7, 1947	11 FR 14101 12 FR 232 12 FR 922 12 FR 1985 11 FR 12084
	Rental Area (Incl. Amdts. 1-23). Amendment No. 24 Correction to Amdt. 24 Amendment No. 25. Amendment No. 25 Amendment No. 27 Amendment No. 28		11 FR 14189 11 FR 14571 12 FR 231 12 FR 921 12 FR 1934 12 FR 2476

Section No.	Regulation	Irrus dato	Federal Reg- inter edu- tim
1300.201 1200.269 1200.701	Revised Procedural Regulation No. 3, as Amerded	AFF. 16 1917 FOD. 0. 1918 SCH. 16 1919 SCH. 16 1919 SCH. 16 1919 SCH. 16 1919 AFF.	OFR KEN 10 FR KEN 10 FR KEN 11 FR CO 10 FR KEN

In addition to the above regulations and orders, all other regulations, orders, certificates issued thereunder, designations of defense-rental areas, declarations, delegations of authority (except as heremafter provided), rules of procedure, directives, instructions, rules, interpretations, rent memoranda, notices, forms, organization descriptions and any other documents or actions relating to or affecting rent control (which, together with the above-listed regulations and orders, will hereinafter be referred to as regulations and orders) which were issued or taken, by or under the authority of the Temporary Controls Adminstrator, or by any other authorized official of the Office of Temporary Controls (Office of Price Administration) (including those ratified by the Temporary Controls Administrator by order dated December 19, 1946, 11 F. R. 14704) which are in effect on May 4, 1947, are, in accordance with Executive Order 9841, hereby adopted, ratifled and confirmed, and shall remain in full force and effect until they expire by their terms, or are revoked, modified or amended by the Housing Expediter.

(c) Effect of adoption on existing obligations and liabilities. All obligations and liabilities imposed by the regulations, orders and other documents referred to in paragraph (b) are continued in full force and effect. The transfer of rent control functions referred to herein does not cancel, suspend or revoke any civil or criminal liability or penalty incurred by any person under the regulations, orders and other documents adopted by this section.

(d) Reference to the Office of Temporary Controls, Office of Price Administration or Office of Price Administration as Housing Expediter. All references in the regulations, orders, forms and other documents referred to in paragraph (b) to 'Office of Temporary Controls (Office of Price Administration)" "Temporary Controls Administrator" "Office of Price Administrator" or "Administrator" shall be construed (except where a different meaning appears from the context) to be references to the "Office of the Housing Expediter", or to the "Housing Expediter", which-

ever is appropriate. However, all references in the regulations, orders, forms and other documents referred to in paragraph (b) to "Secretary, Office of Price Administration" and "Regional Administrator, Office of Price Administration" shall be construed to be references to the "Secretary, Office of Rent Control, Office of the Housing Expediter," and the "Regional Rent Administrator, Office of Rent Control, Office of the Housing Expediter," respectively.

(e) Establishment of and delegation of authority to the Deputy Housing Expediter Rent Control. The Office of Rent Control is hereby established in the Office of the Housing Expediter under the direction of a Deputy Housing Expediter, Rent Control. All the authority, rights, privileges, powers, duties and functions relating to rent control which were vested in or delegated to the Deputy Commissioner for Rent, the Deputy Commissioner Accounting and the Deputy Commissioner for Information. Office of Price Administration (Office of Temporary Controls) by the regulations, orders and other documents referred to in paragraph (b) are hereby vested in and delegated to the Deputy Housing Expediter, Rent Control, Office of the Housing Expediter, and may be delegated by him to his subordinate officials in the Office of Rent Control.

(f) Establishment of and delegation of authority to the Director, Rent Enforcement. A Director, Rent Enforcement, is hereby established in the Office of Rent Control, Office of the Housing Expediter. All authority rights, privileges, powers, duties and functions relating to rent control which were vested in or delegated to the Daputy Commissioner for Enforcement, Office of Price Administration (Office of Temporary Controls) by the regulations, orders and other documents referred to in paragraph (b) are hereby vested in and delegated to the Director, Rent Enforcement. Office of Rent Control, Office of Housing Expediter and may be delegated by him to his subordinate attorneys.

(g) Establishment of and delegation of authority to the Assistant General Counsel, Rent Control. An Assistant General Counsel, Rent Control, is hereby established in the Office of the General Counsel, Office of the Housing Expediter. All authority, rights, privileges, powers, duties, and functions relating to rent control which were vested in or delegated to the General Counsel and the Associate General Counsel for Rent, Office of Price Administration (Office of Temporary Controls) by the regulations, orders and other documents referred to in paragraph (b) are hereby vested in and delegated to the General Counsel and the Assistant General Counsel, Rent Control, Office of the Housing Expediter, and may be delegated by them to attorneys in the Office of the General Counsel.

(h) Establishment of and delegation of authority to Regional Rent Administrators. Regional Rent Offices are hereby established in the Office of Rent Control, Office of the Housing Expediter under the direction of Regional Rent Administrators. All authority, rights, privileges, powers, duties and functions relating to rent control which were vested in or delegated to Regional Administrators and Regional Rent Executives, Office of Price Administration (Office of Temporary Controls) by the regulations, orders and other documents referred to in paragraph (b) are hereby vested in and delegated to Regional Rent Administrators, Office of Rent Control, Office of the Housing Expediter. and may be delegated by them to their subordinate regional officials.

(i) Establishment of and delegation of Authority to Enforcement Division Chiefs. Enforcement Division Chiefs are hereby established in the Regional Rent Offices, Office of Rent Control, Office of Housing Expediter. All authority. rights, privileges, powers, duties and functions relating to rent control which were vested in or delegated to Regional Enforcement Executives, Office of Price Administration (Office of Temporary Controls) by the regulations, orders and other documents referred to in paragraph (b) are hereby vested in and delegated to Enforcement Division Chiefs, Regional Rent Offices, Office of Rent Control, Office of Housing Expediter and may be delegated by them to their their subordinate attorneys.

(j) Establishment of and delegation of authority to Area Rent Directors. Area Rent Offices are hereby established in the Office of Rent Control, Office of the Housing Expediter under the direction of Area Rent Directors. All authority, rights, privileges, powers, duties and functions relating to rent control which were vested in or delegated to Area Rent Directors, Office of Price Administration (Office of Temporary Controls) by the regulations, orders and other documents referred to in paragraph (b) are hereby vested in and delegated to Area Rent Directors, Office of Rent Control Office of the Housing Expeditor.

(k) Establishment of and delegation of authority to the Secretary, Office of Rent Control. The Office of the Secretary is hereby established in the Office of Rent Control, Office of the Housing Expediter. All authority, rights, privileges,

powers, duties, and functions relating to rent control which were vested in or delegated to the Secretary, Office of Price Administration (Office -of Temporary Controls) by the regulations, orders and other documents referred to in paragraph (b) are hereby vested in and delegated to the Secretary, Office of Rent Control, Office of the Housing Expediter.

(1) Designation of personnel. The officials who held the offices of (1) Director, Rent Enforcement Division; (2) Associate General Counsel for Rent;
(3) Regional Rent Executive; (4) Enforcement Attorney (Division Chief) (5) Area Rent Director and (6) Secretary, in the Office of Price Administration (Office of Temporary Controls) who have been transferred to the Office of the Housing Expediter pursuant to Executive Order 9841, are hereby designated (1) Director, Rent Enforcement, Office of Rent Control; (2) Assistant General Counsel, Rent Control, Office of the General Counsel; (3) Regional Rent Administrator, Office of Rent Control; (4) Enforcement Division Chief, Regional Rent Office, Office of Rent Control; (5) Area Rent Director, Office of Rent Control and (6) Secretary, Office of Rent Control, respectively, in the Office of the Housing Expediter.

(m) Actions to be taken in the name of the Housing Expediter All future actions relating to rent control under the regulations, orders and other documents referred to in paragraph (b) shall be taken by the Housing Expediter, or in the name of the Office of the Housing Expediter, by a duly authorized official, or as otherwise provided by a delegation of authority from the Housing Expediter.

(n) Reporting and record-keeping requirements approved. The reporting and record-keeping requirements of the regulations, orders and other documents referred to in paragraph (b) have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(o) Effective date. This section, Housing Expediter Rent Control Order 1, shall become effective May 4, 1947.

(56 Stat. 23; 60 Stat. 664; EO 9809; 11 F. R. 14281, EO 9841, 12 F R. 2645)

Issued this 2d day of May 1947.

FRANK R. CREEDON. Housing Expediter.

[F. R. Doc. 47-4303 Filed, May 2, 1947; 11:33 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—Office of Temporary Controls, Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, Pub. Laws 388 and 475, 79th Cong.; E. O. 9024, 7 F. R. 329; E. O. 9040, 7 F. R. 527; E. O. 9125, 7 F. R. 2719; E. O. 9599, 10 F. R. 10155; E. O. 9638, 10 F. R. 12591; C. P. A. Reg. 1, Nov. 5, 1945, 10 F. R. 13714; Housing Expediter's Priorities Order 1, Aug. 27, 1946, 11 F. R. 9507; E. O. 9809, Dec. 12, 1946, 11 F. R. 14281; OTO Reg. 1, 11 F. R. 14311.

PART 3290-MANILA (ABACA) AND AGAVE FIBERS AND CORDAGE

[Conservation Order M-84, Direction 2]

SUSPENSION OF PROCESSING QUOTAS AND IN-VENTORY RESTRICTIONS FOR MANILA (ABA-CA) FIBER

The following direction is issued pursuant to Conservation Order M-84:

(a) Purpose. This direction suspends the processing quotas for spinnable Manila (abaca) fiber issued under paragraph (c) of Order M-84 which have limited the quantity of that fiber which may be put into process by processors in making the products permitted under paragraph (b) (1) of the order. It also suspends the limitations in paragraph (d) (1) of Order M-84 upon processors' inventories of spinnable Manila (abaca) fiber and yarn made from such fiber, and the limitations in paragraph (d) (2) of Order M-84 as to importers' and dealers' inventories of the fiber. The suspension of these limitations will continue until further notice by amendment or revocation of this direction or otherwise.

(b) Suspension of processing quotas and inventory limitations on Manila (abaca) fiber. Until such time as the Civilian Production Administration may order otherwise, the processing quotas for spinnable Manila (abaca) fiber issued to processors pursuant to paragraph (c) of Order M-84, are hereby suspended, and the inventory limitations in paragraphs (d) (1) and (d) (2) of Order M-84 are also suspended.

(c) Inconsistent provisions of paragraphs (c) and (d) of Order M-84 suspended. The provisions of paragraphs (c) and (d) of Order M-84, to the extent that they are inconsistent with the terms of this direction, are

also hereby suspended.

(d) Other limitations and requirements not affected. The suspension of the limitations under paragraphs (b) and (c) of this direction does not suspend or affect in anyway any other restrictions or provisions in Order M-84 or actions taken pursuant to them including (but not limited to) processing quotas for agave fiber, directions for the use of extenders, reporting requirements, and use restrictions, all of which remain in force unaffected by this direction.

Issued this 2d day of May 1947.

CIVILIAN PRODUCTION ADMINISTRATION, By J. JOSEPH WHELAN, Recording Secretary.

_[F. R. Doc. 47-4305; Filed, May 2, 1947; 11:37 a. m.] "

PART 4600-RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, as Amended May 2, 1947]

Findings Under Sec. 4 (a) of Public Law 404, Seventy-ninth Congress. In connection with the issuance of the following amendments, the Civilian Production Administration, pursuant to section 4 (a) of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237), finds that compliance with the notice, public rule-making procedure and effective date requirements of the said act is impractical and contrary to the public interest, in that the time intervening between the approval of Public Law 24, 80th Congress, on which the following amendments are based, and the date when the said amendments must become effective in order to effectuate the policy of said Public Law 24 is insufficient for such compliance; and any delay in the effective date of the following amendments will jeopardize the orderly allocation of natural and synthetic rubber and the production of synthetic rubber, contrary to the public interest. Therefore, the Civilian Production Administration, pursuant to Public Law 24, 80th Congress, hereby takes the following action:

Rubber Order R-1, as amended December 31, 1946 is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of natural rubber and other materials entering into the production of rubber products for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

Purpose of this order Rubber Order R-1 embraces the Civilian Production Administration regulations covering acceptance of delivery of certain raw materials, restrictions on consumption, purchase procedure, delivery, inventories, and importation.

Appendix I, which is printed at the foot of this order, lists the end products in the manufacture of which natural rubber and natural rubber latex may be used and provides special restrictions for the use of these raw materials in the manufacture of specified products.

Appendix II, which is printed sepa-rately, establishes manufacturing regulations for certain end products, principally tires and tubes, set out in lists applicable to the particular product.

4600.01 Definitions of certain terms. 4600.02 Authorization by CPA required to accept delivery of certain raw materials from the Office of Rubber Reserve, RFC.

4600.03 Restrictions on consumption of natural rubber (excluding natural rubber latex)

4600.03a Authorization by CPA required to accept delivery from the Office of Rubber Reserve and to consume natural rubber latex.

4600.03b Consumption of Butyl (GR-I) authorized in all products.
4600.04 Purchase requests for natural rub-

ber, natural rubber latex, Butyl, and GR-S (all types)

4600.05 Restrictions on making deliveries of raw materials. Restrictions on inventories of raw

4600.06 materials. 4600.07 Restrictions on importation of rub-

4600.08

ber products.
[Deleted May 2, 1947.]
[Deleted May 2, 1947.] 4600.11

4600.12 Reports.

4600.13 Applicability of regulations.

4600.14 Appeals.

4600.15 Violations.

4600.16 Communications. Appendix I.—List of permitted end products.
Appendix II.—Manufacturing regulations

(printed separately).

§ 4600.01 Definitions of certain terms, As used in this order:

(a) "Natural rubber" means all forms and types of tree, vine, or shrub rubber, including guayule but excluding natural rubber latex. Not included in the definitions are reclaimed rubber, scrap rubber, balata, chilte, gutta percha, gutta siak, gutta jelutong or pontianac.

(b) "Natural rubber latex" means the dry latex solids contained in natural rub-

ber liquid latex.
(c) "Reclaimed rubber" means any vulcanized material derived from the processing or treatment of scrap rubber but excluding reclaimed residue or Reclaimed residue or "mud" "mud" means dried or recovered sludge consisting of a mixture of partially hydrolyzed cellulose, finely divided rubber and other waste products of the digester

process of reclaiming rubber.
(d) "Scrap rubber" means any finished or semi-finished product or part thereof made in part or in whole from natural rubber or natural rubber latex which through wear, deterioration or obsolecence, cannot be used in the processing of any product for which the use of natural rubber or natural rubber latex is permitted in Appendix I hereof. Not included in the definition of scrap rubber is any vulcanized, unvulcanized, compounded or coagulated material with a specific gravity of 1.15 or less which results from or is incident to the handling or the processing of natural rubber or natural rubber latex in the manufacture or the repair of any product and which may be used for a purpose for which originally designed, or which may be used for any product for which the use of natural rubber or natural rubber latex is permitted in Appendix I hereof. Also not included in the definition is any finished or semi-finished product or material containing natural rubber or natural rubber latex which may be used for a purpose for which originally designed, or which may be used for any product for which the use of natural rubber or natural rubber latex is permitted in Appendix I hereof.

(e) "Synthetic rubber" means Neoprene (all types including latex) Butyl (GR-I) all grades; all Butadiene polymer and copolymer types including latex, including but not limited to GR-S types, such as Hycar OS and Styraloy and all Butadiene-Acrylonitirle types, such as Hycar, Perbunan, Chemigum, Butaprene, Thickol RD and GR-A.

(f) "Butyl" means all types of Butyl (GR-I) except butyl plant clean-up materıal.

- (g) "Chlorinated natural rubber" means the reaction product of chlorine and natural rubber.
- (h) "Consume" means in the case of natural rubber, natural rubber latex, synthetic rubber or reclaimed rubber, to compound, expand, formulate or in any manner make any substantial change in the form, shape or chemical composition, except where any of these materials is used in the preparation of masterbatches or compounds prepared for use in the manufacture of products permitted in Appendices I or II hereof.
- (i) "Person" means any individual, partnership, 'association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

§ 4600.02 Authorization by CPA required to accept delivery of certain raw materials from the Office of Rubber Reserve, RFC. (a) No person shall accept delivery from the Office of Rubber Reserve, RFC, of any of the following raw materials:

Natural rubber (excluding natural rubber latex) GR-S

until he has received an authorization to do so from the Civilian Production Administration on Form CPA-4488. Applications for an authorization to accept delivery from the Office of Rubber Reserve, RFC, of any or all of these materials shall be made on Form CPA-4438. pursuant to instructions accompanying that form, not later than the first day of the month next preceding the calendar quarter for which the authorization is required. The authorizations to accept delivery from the Office of Rubber Reserve, RFC, on Form CPA-4488 will be mailed by the Civilian Production Administration only to applicants who have applied on Form CPA-4438. This authorization form will be mailed on or before the 20th day of the month next preceding the calendar quarter for which the delivery is authorized.
(b) Pale crepe. Only manufacturers

of the products specified in Appendix I in the manufacture of which the use of pale crepe is specifically permitted, will be authorized by the Civilian Production Administration to accept delivery of that material from the Office of Rub-

ber-Reserve, RFC.

(c) Basis for authorization to accept delivery of natural rubber (excluding natural rubber latex) Butyl and GR-S from the Office of Rubber Reserve, RFC. In determining the amounts of natural rubber (excluding natural rubber latex) Butyl and GR-S to be authorized for acceptance of delivery from the Office of Rubber Reserve, RFC, by an applicant in any calendar quarter, the Civilian Production Administration will take into consideration the consumption and inventories of those materials reported monthly on Form CPA-3410 and quarterly on Form CPA-4488, information furnished by the applicant as to past production and estimated future production of rubber products, as well as the proportional requirements for such materials in the production of rubber products, required by Appendices I and II hereof. It is the policy of CPA to distribute equitably the supply of Butyl and GR-S, among all consumers so that the quantities authorized for delivery will be sufficient for industry to maintain its production schedules, within the limitations of the available natural rubber determined to be available to industry remaining in the stocks of the Office of Rubber Reserve, RFC. Consistent with technical requirements and available supplies, the CPA will determine the end products in the manufacture of which any grade of natural rubber may be used.

§ 4600.03 Restrictions on consumption of natural rubber (excluding natural rubber latex). No person shall consume natural rubber except in the manufacture of permitted end products listed in Appendix I hereof, and in accordance with the applicable special restrictions or provisions in Appendix I and the manufacturing regulations in Appendix II. Restrictions on the consumption of natural rubber latex appear in § 4600.03a below.

(1) Consumption for experimental use of natural rubber (excluding natural latex). Not to exceed 75 pounds of natural rubber may be used in any calendar quarter for consumption in experimental purposes. This material may be consumed from inventory or, if the consumer has no inventory, may be purchased directly from the Office of Rubber Reserve, RFC, 811 Vermont Ave., NW., Washington, D. C. or from any rubber dealer or importer.

§ 4600.03a Authorization by CPA required to accept delivery from the Office of Rubber Reserve and to consume natural rubber latex. No person shall consume natural rubber latex until he has received an authorization to do so from the Civilian Production Administration on Form CPA-4562. Applications for an authorization to accept delivery of natural rubber latex from the Office of Rubber Reserve, RFC, and to consume it shall be made on Form CPA-4562 pursuant to instructions accompanying that form, not later than the first day of the month next preceding the calendar quarter in which the authorization is required. The authorizations to accept delivery from the Office of Rubber Reserve, RFC, and to consume on Form CPA-4562 will be made by the CPA only to those persons who have filed applications on Form CPA-4562. These authorizations will be mailed on or before the 20th day of the month next preceding the calendar quarter for which the delivery is authorized. Where the application shows natural rubber latex is to be used in the manufacture of prophylactics, curled animal hair, latex foam products, girdles, rubber-soled fabric footwear, thin wall insulation, or rubber thread for elastic fabrics, the authorization to consume will be made in the proportion that the supply available for such product bears to the total requirement.

(1) Limitation on manufacturers to be authorized to accept and consume natural rubber latex. Only those manufacturers of the products specified in Appendix I and in List 8 of Appendix II for which the use of natural rubber latex is specifically permitted will be authorized to accept delivery of this material from the Office of Rubber Reserve, RFC, and to consume it.

§ 4600.03b Consumption of Butyl (GR-I) authorized in all products. Butyl (GR-D) all types, may be used in the manufacture of any product and is subiect only to the delivery and inventory restrictions set out in §§ 4600.05 and 4600.06 below.

§ 4600.04 Purchase requests for natural rubber, natural rubber latex, Butyl and GR-S (all types) Natural rubber, natural rubber latex, Butyl and GR-S (all types) are sold by the Office of Rubber Reserve, RFC. Persons wishing to purchase any of these materials from the Office of Rubber Reserve shall first file their requests for natural rubber, Butyl or GR-S (all types) on Form CPA-4488

and for natural rubber latex on Form CPA-4562, with the Rubber Division, CPA, Washington 25, D. C. in accordance with instructions accompanying the forms.

- (a) Issuance by Office of Rubber Reserve of purchase permits. On the basis of such requests, the Civilian Production Administration will recommend to the Office of Rubber Reserve that a purchase permit be issued to the applicant for an amount determined by CPA from the applicant's inventory and the amount authorized for delivery on Form CPA-4488 or Form CPA-4562. The Office of Rubber Reserve will issue purchase permits directly to the applicant after receiving requests therefor directly from the applicant.
- § 4600.05 Restrictions on making deliveries of raw materials—(a) Natural rubber Buiyl and GR-S. Any person may deliver to any other person, natural rubber, Butyl or GR-S without restriction.
- (b) Natural rubber latex. No person may deliver natural rubber latex to any other person, except as provided in subparagraph (1) below, unless the purchaser certifies his order in substantially the following form:

The undersigned hereby certifies that the natural rubber latex to be purchased with this order will not exceed the inventory restrictions of § 4600.06 of R-1, as amended, and will be consumed in the manufacture of products for which natural rubber latex is authorized to be consumed in Appendices I and II of Rubber Order R-1, as amended, and such consumption will not exceed the authorization to consume given the undersigned on Form CPA-4562.

Signature

- (1) However, any person may deliver natural rubber latex to any person for the purpose of milling, washing, deresinating, drying, compounding or conditioning the same, or for processing or manufacturing products therefrom and thereafter returning the same or the products thereof to the person making the delivery.
- (c) Pale Crepe. No person may deliver to any other person natural rubber of pale crepe grades 1X or 1, thick or thin, unless the purchaser certifies his purchase order in substantially the following form:

The undersigned hereby certifies that the natural rubber of pale crepe grades 1X or 1, thick or thin, will be used in the manufacture of products for which the use of these materials is permitted in Appendices I and II of Rubber Order R-1, and that acquisition of this material will not exceed the inventory restrictions contained in § 4600.06 of Rubber Order R-1.

Signature

§ 4600.06 Restrictions on inventories of raw materials. No person who consumes any of the following raw materials shall accept delivery of any of them if his inventory is or will by reason of such acceptance become in excess of the amount reasonably necessary to meet his requirements for the period designated below:

Maximum

Natural rubber or natural rubber latex... Any type of synthetic rubber (including their latices) Reclaimed rubber____

Any person having an inventory in excess of the foregoing limits may ask for the assistance of the Rubber Division. Civilian Production Administration, in its disposal.

- (a) A person engaged in the business of manufacturing synthetic rubber or of reclaiming rubber may, however, maintain such inventories of synthetic or reclaimed rubber of his own manufactured grades as he deems advisable. These exceptions may be made notwithstanding the provisions of this § 4600.06.
- § 4600.07 Restrictions on importation of rubber products. For the purpose of this section, "import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States. It does not include shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States for trans-shipment to any foreign country.

No person shall import any finished or semi-finished product of which ten per cent or more by weight is composed of natural rubber or natural rubber latex. except as permitted under this section. The term "ten per cent or more by weight" shall mean the weight of the rubber hydrocarbon content of the finished or semi-finished product.

The foregoing restriction shall not apply to any of the following:

(a) The importation by the United States Army or Navy of any finished product made of natural rubber or natural rubber latex.

(b) The importation of tires for recapping, retreading or repair, provided the tires are thereafter exported to the owners in the foreign country from which the products were imported.

(c) The importation of any finished product made of natural rubber or natural rubber latex by diplomatic representatives of any foreign government for their personal use or the use of members of their staffs.

(d) The importation of any finished product made of natural rubber or natural rubber latex by commercial representatives of any foreign government for use in their official business.

(e) The importation for testing purposes of camelback, or of tires or tubes or sections thereof, by any manufacturer of camelback, tires or tubes.

(f) The importation of any scrap rubber.

- (g) The importation by any person during any calendar month of products or materials (except tires, tire casings and tire tubes) which contain an aggregate of not more than twenty-five pounds of natural rubber or natural rubber latex provided such products or materials are not imported for the purpose of manufacturing, processing, sale or resale.
- (h) The importation by any person of any finished or semi-finished product manufactured in accordance with the provisions of Rubber Order R-1 and in

respect to which the importer shall furnish to the Collector of Customs at the port of entry a certificate substantially as follows:

The undersigned hereby certifies, subject to the criminal penalties for misropresenta-tion contained in section 35 (A) of the United States Criminal Code that the products covered by the invoice to which this certificate is attached, as noted therein, are being imported into the United States in accordance with the provisions of § 4600.07 of Civilian Production Administration Rubber Order R-1. The undersigned further certifies that the products covered by the invoice to which this certificate is attached were manufactured in accordance with the special restrictions or provisions in Appendix I and the manufacturing regulations contained in Appendix II of R-1.

Date:

Signature

§ 4600.08 (Deleted May 2, 1947)

§ 4600.11 (Deleted May 2, 1947)

§ 4600.12 Reports. (a) The following persons shall file with the Civilian Production Administration a report on stocks, receipts, consumption, and shipments on Form CPA-3410 in accordance with the instructions accompanying the Form:

(1) Each person, who, during the next preceding month, consumed or owned any natural rubber or natural rubber latex.

(2) Each person who during the preceding month consumed or owned the rubbers listed below, in excess of the following minimums:

Consumption (pounds) (pounds) _ 10,000 10,000 15,000 10,000 Neoprene ____ 5,000 Butadiene - Acrylonitrile types_____ 5,000 5,000

This paragraph shall not apply to persons who perform the operations listed in § 4600.05 (b) of this order except that producers of reclaimed rubber shall report their entire production regardless of the material consumed.

(b) Each manufacturer of tires and tubes or camelback, shall file a report on his production, shipments and inventory for each calendar month on Form CPA-3438 with the Civilian Production Administration, in accordance with the instructions accompanying the form, unless otherwise directed.

(c) Such other reports as may be required, subject to approval by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

§ 4600.13 Applicability of regulations. Except as otherwise provided, this order and all transactions affected thereby are subject to all applicable provisions of Civilian Production Administration regulations as amended from time to time.

§ 4600.14 Appeals. Appeals from any provisions of this order shall be made by filing Form CPA-2242/in accordance with the instructions appearing on the

§ 4600.15. Violations. Any person who willfully violates any provision of this order, or who, in connection with this

FEDERAL REGISTER

§ 4600 16 Communications All reports required to be filed under this order, and all communications concerning this older, shall, unless otherwise directed be addressed to: Civilian Production Administration, Washington 25, D C, Ref Order R-1

order willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a cilme, and upon con-viction may be punished by fine or im-

prisonment

(Sec. 2 (a), 54 Stat 676, as amended by 55 Stat 236, and 56 Stat. 177; E O 9024, 7 F. F. 329; E. O 9040, 7 F. R. 527; E. O 9125, 7 F F. 2719; E O 9246, 7 F. R. 1379 as amended by E O 9475, 9 F. R. 10817; WPB Reg 1 as amended Dec 31, 1943 9 F R. 64; Pub Law 24, 80th Cong)

Issued this 2d day of May 1947

Clyllan Production
Adelinistration
By J Joseph Whelan,
Recording Secretary

I—Lucr or Pentawers Exp Proposes

Appendix I to Rubber Order R-1 lists the natural rubber and natural rubber intex may be uzed These naw materials may not be uzed These naw materials may not be uzed In the manufacture of any products not listed in Appendix I Quarterly consumption of natural rubber and natural rubber liters will be permitted in the manufacture of Appendix I products on the basis of uses shown in Appendix I, but only to the extent that material is available Explanation of Columns 3, 4 and 5 of the symbols used Columns 3, 4 and 5 of the symbols used Columns 3, 4 and 5 of the symbols used Columns 3 above the quantity espread in the manufacture of the product indicated and for which the manufacture has been authorized to accept delivery on Form

pressed in percentage or as the minimum required of natural rubber lates which many bused in the manufacture of the product in diegted and for which the manufacture of the product in diegted and for which the manufacture of the product in the manufacture of the product in shows special restrictions or provisions or provisions on product for example, in those product of the product for example, in those product of the read of the read of product for example, in those clumn 3 or 4 is blank a reference will be found in column 6 to the manufacturing regulations for the row materials, either natural rubber or natural rubber latex is prohibited subject to any special restrictions or provisions applicable to the particular product.

"X" indicates that the use of the raw materials in the manufacturing regulation or extrections or provisions applicable to the particular product.

"X" indicates that the raw material me be used in the minimum quantity required by the manufacturer who has received at the ribor latex is prohibited subject to any special restrictions or provisions applicable to the particular product. Provisions applicable to the particular product Provisions applicable to the particular product Percentage figure in column 3 or 4 indicate maximum of neutral rubber natural rubber applicable or compounds of natural rubber of reclaimed rubber of natural rubber duck and the rubber duck and the rubber duck and cribber duck and cribber duck and cribber bydrecarbon value of mater-batches or compounds of neutral rubber of the remined by the manufacturer of the reclaimed rubber of the rubber product or natural rubber includes or natural rubber includes or engine under the rubber of material rubber or natural rubber o

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(9)	Special restrictions or provisions	800 List 0 App II Do, 800 List 2 App, II. 800 List 10 App II.	Seo List 13 App 11 Seo Lists 7 and 13 App II Seo Lists 8 App II	Not less than 85 percent natural rubber by volume of compound permitted					Notural rubber 0.05 lb maximum per	Notural rubber latex (315 percent max mum of total volume of belte) ner	When tapered norther are built on end of hees, the redrieflens for the par				Pale creps types other than thick of thin permitted		Acronautical only	Thiokol tube hose only. For durometer hardness 15 or less only	Corresive and abrasive only Do			
8	Percent natural rubber latex			0 (0000	00000	0 00	• •	0	0	•	000	60	00	920 (60	00	0	
6	Percent natural rubber	KK	ıж			*****	K K	ĸ		N S		к	KKK	. •		K 1	KKKK	K K	кк	K S	ĸ	 R KKX S
(2)	Product	The tube valves and curing bags: The tube valves (moluding ropnir valves) The tube valves inside washers Outling bags	The retreading materials: Arbays, full elrela for retreading Cambibate and all other. The and tube topair materials. Rubber tracks and track blocks	Convoyor and elevator bolting: For sovere service only	All other. Miscellancous belting and related products:	Belt splicing and repair material. Conveyor skirting or shirtboard rubber Olyar machine oprous Concentrator belts.	Aschaege helds	Serven displingms for paper making cquipment. Special molded conveyor belts special modern belts.	Transmission belling: Flat transmission belling	Round transmission bolling V bolis	New and tubing	Automotive and afreralt heco Cement hese: Coment and material hese dry and fee	Center than hee	Divers' hero. Hero and tubing not cleawhere listed	Aid conducting and acid suction here	Ammonla hose hose Arker pine forming hose	Mittellycenthonese. Oxygen (not welding) here Phosphato flexible here There delling here	Sand blast hose the same and same Tublug.	Missellancous related products: Flanged flexible pipe Placis valve	Alebrako and afesknal hose Stom and has water hose (except tender	Steam bose	The daing shows a felt. The critine suction how, soft. Rotary shish pump suction hose sand suction loce
8	Code	1 -	o⇒ ⊱∞	్ట	8				00	g	2	10.4 10.13		SEE					10F	001	Hei	
y ex-	at has	a ap- duct nduct neu-	lank o the h the	, ma rub	o the	may lufred	on to on to o any leable	per-	lentes not-	thetle	tches stural	shall of re-	derei-	ubber ubber		opnjo		ons				

S	Special restrictions or pravisions	Seo List 8 App II Do. Bo. List 8 App II Seo List 8 App II Bo. List 9 App II
	Spec	Reo List Beo List Reo List Beo List Do
€	Percent notural rubber latex	
ල	Percent natural rubber	ж
(6)	Product	Preumato tires Airping tires Airping tires Trucks and bus tires Ail other tires Trucks and safety Trine tires Trine and bus
ε	Code	_<====================================

1 0							
(6) Special restrictions or provisions		Outlery—slottod typo only			A minimum of 3315 percent of the total quarterly consumption of natural rubble and synthetic rubber simil be synthetic rubber. Natural rubbe floxy permitted except for manucquin molds. Natural rubber latex permitted for shot Natural rubber latex permitted for shot	and sand ones nemets only. For industrial use only. A minimum of 3334 percent of the total quarterly consumption of natural rubber and synthetic rubber shall be synthetic rubber.	Wheels stees 2° and over, 25 percent natural rubber by volume permitted For power driven appliances
(4) Percent natural rubber latex	И	NX OOOOOO	0000 0000				M M
(3) Percent natural rubber	ии ии		K K	3 888 888 8 8 8 8 8 8 888 8	* * * * * * * * * * * * * * * * * * *	NN N	
(2) Product	Hard rubber products—Continued Bleaching rods Blown work Combo	Lock strips Knile haptides Lakes covering fland rubber) Mitoropous separations Mine lamp cases Mouth ploces for musical instruments Flipe (formmercial) Plating barrels and parts Potentiqueter cards	Rods up to 0 000" diameter. Rods 0,000" diameter to 14" diameter leads over 14" diameter L. Serving trays	Story wheels are not not story duty cases over 16 lbs in weight. Storage batteries, heavy duty cases over 16 lbs in weight. Storage batteries (hand wrapped cases only). Storage batteries (hand wrapped cases only). Tolophone communitor inserts The weight of the cases less than \$\frac{3}{2}\trace{7}\trace	Industrial equipment: Bristo expander tubing Forbible connections for vacuum and change equipment Industrial abrasive implements Molds Sand blasting equipment	Miscellancous mechanical goods: Alkalino storage batteries and parts Billard and pool table cushions. Brake linings brake blocks and clutch facings Brusk setting compounds	Budding strips
CO Code No	8.	,			126	12F	
-							
(6) Special restrictions or provisions	5 percent natural rubber by volume permitted in Thlokol "A," com pounds	Natural rubber by weight Natural fubber by weight excluding cotton or wire	ó	Natural rubber percent, of weight of fabric fabric for scaling vulcanizor doors. The definition refers to the percent of natural rubber ratiford to the fotal natural and synthetic rubber used fabric repe types other than thick of	Name to the constant of the co	Pale crope types other than thick or thin permitted. 60 durometer or under only	A minimum of 33% percent of the total quarterly consumption of natural rubber and synthetic rubber shall be synthetic rubber. For industrial use only.
Special	percent permitt pounds	0 Natural rubber by weight 0 Natural fubber by weight excluding 0	, 00 0 0	Natural rubber percent of weight of fabric of	20 Poline production of the thin por mitted 30 Do 0 0		
(4) Percent antural rubber latex	5 percent permitt pounds	5 0 Natural 5 0 Natural 6 0 0	8 8 00 0 0	X	NN NN	000 00 00	
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	Special restiletions or provisions	, John State of the State of th	Authority constitution of natural rubber, natural rubber latex and synthetic rubber shall be synthetic rubber shall be synthetic rubber.		ill not be unit by volume	and provided that synthetic rubber shall not be less than 10 percent of the total quarterly consumption of natural and synthetic rubber Bulc. No true of rubber dealers, the contract of the contract of rubber dealers.	1 68 percent n rubber late nufacture of n	conference of the period of th	No type of recent of the person of the perso	ile rubberel Natural IV (3r. (3) ec	contact well to veliting a contact for a	ibber latex m at the rate ment requir	of ellocs, pro cut manufacture x of the above	the chee man the furth 16 and (2) th	sumo latex a oro choes th urth calendar	percent of the intion of m stignisher sh	only for o	her than th	com permitted Da. Pale creps types other than thin per mitted
8	il resti letfor	7.66	rly consum fly consum flo rubber		rubber shall of 60 percent t	ovided the less tal quarter and synth	Notural In the man	tion of 33% and synthe	ic nibration in color	and synthe tie mibleer ermitted on	ing Dissertion allocation (6) (6) of now that	natural ru net enly o s for the ec	000 pales of no comparts of the comparts of th	hors than reduced in arter of 19	rehall con rate for m ced in the Co	num of 3315 rly consum and synthe	rio riuber Permitted (condense	to sad strou	imitted on types off
	Speela	1	quarter rubber syntho	Å	Natural rubber excess of 60 per total compoun	shall pr	Sontain Bitted B	A minim A minim A minim	Synthe Diversion Of Person		ratage chackers facture facture	Concur		turer of dar qu	produc produc	A minim quarter rubber	Synthol Fitex Sabries Sabries	Pale erel	Pale orej mitted
€	Percent natural rubber latex	×	1.	۰.0	00			0										C	×
8	Percent natural rubber	××		:Ж	жĸ			-								• ~		ĸ	××
(8)	Product	Wire and Oable: Insulation compounds for: Thin wall finsulation (18 milg or less) ex cept for building wire. Insulation except for Typo R building Wire.	באוס זי מות זיכן מחומות! אונס	Framo Wiro. Jacket compounds for: Portable cord jackets Missellancers. Missellancers.	Richard three and splicing compounds Friction three and splicing compounds Rubber footwear, helpdding colored rubber footwear and no mark soles for both rubber footwear and tennis		ਰ	Heels and coles	Cements for all purposes not elsowhere listed				Ĵ			Proofed or coated tabrics		Drug sundries, medical surgical, and dental: Adhesive products: Moleskin and medicated plasters	Prosure censitive foot products. Surgical tape and cohesive bandage
3	No No	13.1		133	2 7		-	2	91							ä		85. A.	
Ī		ls thail	E S.				بر د			o totol atumi chali			ick er spaper at	Der Geo			ed for		
(9)	Special restrictions or provisions	A minimum of 3314 percent of the total quarterly consumption of natural rubber and synthetic rubbor shall be synthetic rubbor. For vibration sereous and ball mills	Gork or über loaded. Nottiral rubber jatex permitted for em	bossing ink only. For uso in handling wet slurry	~		Pale ereps types other than thick or	ינווח לענוווונינים	Cork or Ober leaded	A minimum of 33% percent of the total questery concumption of natural rubber, and synthetic rubber shall	bo synthetic rubber. Do	D6.	Palo eropo types other than thick or thin premitted only for newspaper ligh speed form relis For household Lundry equipment.	Pale ercpe types other than thin per mitted only for phespheris seid con	tainer linings		Natural rubber latex not permitted for abrasive service	•	
(4) (5)		0 A minimum of 3314 percent of the t quarterly consumption of nat ribbor and synthetic rubbor s be synthetic nubber. 0 For vibration screens and ball mil				· • •	0 Pole crepe types other than this	0000	0 Cork or aber leaded 0	minin quarter rubber	Do Do		0 Palo cropo types other than the thin tremitted only for new high speed form relision of For household Jounday enting	X Palo ercpo types other than the mitted only for pliceplicity ad	X tainer linings	×	X Natural rubber latex not permitt		000
	Special	:	00	XX S	*****	× × 8	NNN 9000	X X 25 0000	NNN	X 0 Aminim quarter quarter inducting	0 Dο σχη	N:	N 8	ж	X X X	ж	×	х	N 20 00 00 00 00 00 00 00 00 00 00 00 00
(4)	Percent natural nubber latex	S SS	00	XX S	2 8	× × 8	NNN 9000	22 92	NNN	X 0 Aminim quarter quarter inducting	ο Ο Ο Ο Ο Ο Ο Ο Ο Ο Ο Ο Ο Ο Ο Ο Ο Ο Ο Ο	N:	N 8	×	X X X		×	х	929

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(1)	(2)	(3)	(4)	(5)
Code No.	Product	Percent natural rubber	Percent natural rubber latex	Special restrictions or provisions
18B	Bulbs: Medical bulbs.	x		Pale crepe types other than thick or thun permitted. Natural rubber latex permitted for blood pressure bulbs only.
180	Medicine droppers. All other bulbs. All medical, surgical, dental, vetermary and mortuary products, including infant feeding goods, pacifier nipples and animal feeding nipples (excluding flat goods).	XXX	x °	All types pale crepe permitted only for: Breast shields (nursing), small feeding inpples (including animal), colostomy outfits (modded, dipped and handmade), dilators, prostatic bags, prosthetic and orthopedic devices, pessaries and prophylactics, tubing (blood plasma, intravenous, multiple lumen and drainage only). Pale crepe types other than thin permitted only for: Denture rubber, orthodontia bands, feeding bottle caps and covers, large feeding nipples, inhalation bags and face plees, stoppers (medical, surgical, dental, veterinary and mortuary types only), vaccine caps and bandage gum (medical and surgical only). Pale crepe types other than thick or thin permitted only for: Syringe tubing (medical, surgical, dental, veterinary and mortuary).
	All other sundries including baby pants, bathing caps, crutch tips, embalmers' supplies, flat goods, hard rubber druggst sundries, orthopedic pads, unsupported sheeting, and household and commercial health products.		0	A minimum of 3336 percent of the total quarterly consumption of natural rubber and synthetic rubber shall be synthetic rubber. Pale crepe types of natural rubber other than thick or thin permitted only for bathing
21 22 22A	Bullet sealing fuel and oil cells	x	x	caps and flat goods.
	Ball centers. Ball covers. Bladders and valves. Exerciser straps. Handballs, squash, LaCrosse and tennis balls.	XXXX	0 0 0 0	
22B 22O	Inflatable balls, including beachballs Balloons Cushioning and sponge: Curled animal hair	x o	0 X	Motival withou later not appeading to
	Latex foam products		0	Natural rubber latex not exceeding 50 percent RHC permitted. A minimum of 33½ percent of the total quarterly consumption of natural rubber and synthetic rubber shall
22D	Safety respiratory equipment: Breathing ap- paratus, safety masks and respirators, in- cluding parts.	ж	x	rubber and synthetic rubber shall be synthetic rubber. -Pale crepe types other than thin per- mitted.
22E	Miscellaneous products: Chlorinated and cyclized rubber for packaging. Chlorinated natural rubber and cyclized	x	0	Pale crepe types other than thin per- mitted for food packaging only. A minimum of 33% percent of the total
1	rubber for protective coatings, includ- ing paints. Chlorinated natural rubber for the man-		0	quarterly consumption of natural rubber and synthetic rubber shall be synthetic rubber. Do.
	ufacture of cement for any purpose. Flavored masticating gum Fly paper. Girdles	<u>x</u>	x 0	Do. Pale crepe types other than thick or
	Molded undercut tabs		0	thin permitted. A minimum of 331/s percent of the total quarterly consumption of natural rubber and synthetic rubber shall be
	Parachuto bands and ventilating rings\ Protective coatings, including paints and inks.	x	0	synthetic rubber. A reminum of 33½ percent of the total quarterly consumption of natural subber and synthetic rubber shall be
22F	Tobacco pouches and key-cases Pressure sensitive tape		0	synthetic rubber. Do. A minimum of 33½ percent of the total quarterly consumption of natural
22 G	Stationers' supplies: Erasers		0	rubber and synthetic rubber shall be synthetic rubber. Natural rubber latex permitted only for the manufacture of protective tape for use on highly polished metal surfaces. A minimum of 33½ percent of the total quarterly consumption of natural
	Pen sacsRubber bands.	x	x o	rubber and synthetic rubber shall be synthetic rubber.
22H	Rubber thread	x	x °	Pale Crepe types of natural rubber other than thin, and natural rubber lates, permitted only for textile thread.
22 I 22K	Rubber tape and elastic bands for clothing Toys: Molded and blown dolls and parts and	60 87	0	wand Useful
	inflated gas balls. All other toys	•	0	A minimum of 331/5 percent of the total quarterly consumption of natural rubber and synthetic rubber shall be synthetic rubber.
	III D Dec 47 4006 EU			7. 11.07 3

[F. R. Doc. 47-4306; Filed, May 2, 1947; 11:37 a.m.]

PART 3293—CHEMICALS

[Allocation Order M-393, as Amended May 2, 1947]

STREPTOMYCIN

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of streptomycin, for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.113c Allocation Order M-393. DEFINITIONS

- (a) Definitions. For the purposes of this order.
- (1) "Streptomycin" means a chemotherapeutic agent isolated from actinomyces griseus and variants. The term includes streptomycin in any medicinal tablet, ampoule or other dosage form, as well as crude streptomycin.
- (2) "Primary supplier" means any person who produces or imports streptomycin. However, the term shall not include any retail pharmacist, hospital or physician.
- (3) "Primary distributor" means any person who buys streptomycin from a producer or importer for distribution with his (primary, distributor's) name on the label. However, the term shall not include any retail pharmacist, hospital or physician.

ALLOCATION RESTRICTIONS

- (b) General provisions—(1) Allocation. The Civilian Production Administration will allocate the use and delivery of streptomycin by primary suppliers and primary distributors. Allocations will be on a calendar-month basis. The purposes for which allocations may be made include the following: (i) governmental agencies, (ii) research, (iii) primary distributors, (iv) other domestic civilian needs and licensed exports. (For purposes of these allocations, shipments to Canada will be treated as "domestic civilian" and not "export".)
- (2) Use and delivery restrictions. No primary supplier or primary distributor shall use or deliver streptomycin to any person except as specifically authorized in writing by the Civilian Production Administration upon application under this order.
- (3) Allocations under Schedule 119 to Order M-300. Each primary supplier or primary distributor holding authorizations to use or deliver streptomycin under Schedule 119 to M-300, may use and deliver streptomycin to the extent permitted by such authorizations. All stocks of streptomycin not allocated under authorizations issued under Schedule 119 to Order M-300 are subject to allocation under this order.
- (c) Exemptions. Application and specific authorization are not required for the following use or delivery of streptomycin:
- (1) Use and delivery by any person who is not a primary supplier or primary distributor as defined in this schedule.

(2) Deliveries of samples to the Food and Drug Administration, Washington 25, D. C.

(3) Use by any primary supplier or primary distributor of samples of his own production or stock for making production control and standardization tests solely for potency, sterility, toxicity, pyrogens, moisture or stability.

(d) Suppliers' applications on CPA-2947. Each primary supplier or primary distributor seeking authorization to use for deliver streptomycin shall file application on Form CPA-2947. Filing date is the 17th day of the month before the proposed delivery month. Send three certified copies to the Civilian Production Administration, Washington 25, D. C., Ref.. M-393. The unit of measure is grams of streptomycin activity in terms of streptomycin base.

In section I, first list Army and Navy orders, specifying in Column 1 Army or Navy, in Column 1a the contract or requisition number, in Column 4 the quantity ordered and in Column 5 the proposed delivery. Second, list orders placed by the Veterans' Administration, and U.S. Public Health Service, specifying in Column 1 Veterans' Administration, and U. S. Public Health Service, leaving Column 1a blank, in Column 4 the quantity ordered and in Column 5 the proposed delivery. Quantities desired for other purposes may be stated. In addition the Civilian Production Administration may allocate quantities for delivery to specific customers for civilian purposes. In the case of proposed delivery to a primary distributor the applicant shall list specifically the name of the primary distributor and the quantity proposed to be delivered to him.

In section II, fill in as indicated leaving Columns 8, 9 and 10 blank and reporting only imallocated stocks in Column 13. An applicant who is both a primary supplier and a primary distributor shall report the required information in section II relating to his own production separately from that relating to his purchased material.

TESTING AND PREPARATION RESTRICTIONS

(e) FDA approval. Requirements for submitting test samples to the Food and Drug Administration, preparation, packaging, etc., are now contained in regulations issued by that agency.

REPORTS

(f) Reports. Reports of production, stocks and shipments shall be filed within 5 days after the close of each calendar month by every primary supplier and primary distributor of streptomycin.

These reports shall be filed on Form CPA-2947 in the following manner:

Specify in the blocks provided the name and address of the company reporting, name of materials, month, unit of measure, grams of streptomycin activity in terms of streptomycin base.

In section I report deliveries made against individual allocations. In Column 4 change heading to read "quantity" shipped" showing the amount shipped. Leave Columns 1a, 5, 5a, 6 and 7 plank.

In section II leave Column 8 blank and list in Column 9 production during the month for which the report is filed and in Column 10 unallocated stocks as of the first day of the current month. Leave other columns blank.

A primary supplier who is also a primary distributor shall report the required information in section II relating to his own production separately from that relating to his purchased material.

(g) Budget Bureau approval. The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

TEMBLITORIAL SCOPE

(h) Territorial ccope. This order applies to acts occurring within the continental United States (the 48 States and the District of Columbia) its territories and possessions.

IMPORTS AND EXPORTS

(i) Imports. (1) Imports of streptomycin may be accepted by the original consignee without application or authorization under this order. The consignee as an importer shall be subject to the requirements regarding primary suppliers and primary distributors.

(j) Exports. From time to time, the Civilian Production Administration will establish industry-wide quotas for the export of streptomycin to countries other than Canada. Persons desiring to export under those quotas should apply to the Office of International Trade, Department of Commerce, Washington 25, D. C., for export licenses.

DURATION OF AUTHORIZATIONS

(k) Duration of authorization for delivery. If it is not practical for a primary supplier or a primary distributor to make all deliveries in the allocation period for which authorized, he may complete them as early as practicable thereafter. However, authorization to deliver shall not be made after the end of the month following the allocation period for which delivery was authorized and shall terminate if the purchaser fails to place his order before the end of the allocation period, or if the purchaser requires postponement of delivery beyond 10 days after the allocation period or an authorization to deliver is received for the specified allocation period. Advance delivery may be made if it does not delay previously authorized deliveries.

(i) Duration of authorization for use. There is no limitation on duration of authorization for use of streptomycin.

LUSCELLANEOUS

(m) Violations. Any parson who wilfully violates any provision of this order, or in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliv-

eries or from processing or using streptomycin.

(n) Communications to the Civilian Production Administration. Communications concerning this order shall be addressed to Civilian Production Administration, Chemicals Division, Washington 25, D. C., Ref., M—393.

(0) Appeals. Any appeal from the provisions of this order shall be made by malling a letter in triplicate to the Civilian Production Administration, Chemicals Division, Washington 25, D. C., Ref. II—393, stating the particular provisions appealed from and stating fully the grounds for the appeal.

Issued this 2d day of May 1947.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[P. R. Doc. 47-4304; Filed, May 2, 1947; 11:37 a.m.]

Chapter IX—Sureau of Foreign and Domestic Commerce, Office of Materials Distribution, Department of Commerce ¹

[Materials Control Reg. 1]

PART 903—DELEGATIONS OF AUTEOFITY

§ 903.0 Delegation of powers and ratification of certain previous actions of the Temporary Controls Administrator—(a) Explanation. By Executive Order No. 9341, dated April 23, 1947, the President has transferred to the Secretary of Commerce, effective May 4, 1947, certain functions of the Temporary Controls Administrator, as provided in Part II of that order. Such functions include certain of those previously performed by the Civilian Production Administration within the Office of Temporary Controls.

There has been established within the Bureau of Foreign and Domestic Commerce of the Department of Commerce, an Office of Materials Distribution. This regulation provides for the performance by the director of that office of certain of the functions transferred to the Secretary of Commerce by section 203 of Executive Order No. 2041. It also continues in effect certain regulations, orders and other actions previously taken relating to those functions, including actions by or under authority of the Temporary Controls Administrator.

(b) Delegation to the Director of the Office of Materials Distribution. The Director of the Office of Materials Distribution is hereby authorized to perform the functions and exercise the powers, authorities and discretion now or hereafter vested in the Secretary of Commerce under section 203 of Part II of Executive Order No. 9341, in such manner as he may prescribe, except actions taken pursuant to paragraph (c) of this section. The authority hereby delegated to the director may be redelegated by him, subject to his direc-

Formerly Chapter IX—Office of Temporary Controls, Civilian Production Administration; redecignation effective May 4, 1947.

tion and control, to such officers of the Department of Commerce, whether or not within the Office of Materials Distribution, as he may designate.

(c) Delegations to compliance commissioners. The Secretary of Commerce may authorize such compliance commissioners as he may designate to perform such functions and exercise such powers, authorities and discretion now or hereafter vested in the Secretary of Commerce under section 203 (a) of Part II of Executive Order No. 9841 and subject to such conditions or restrictions as he may prescribe.

(d) Adoption, ratification, confirmation and validation of certain actions in force on May 4, 1947 All rules, regulations, orders, directives, directions, certificates, procedural documents and other actions which were heretofore issued or taken by or under authority of the Temporary Controls Administrator, the Civilian Production Administrator, the War Production Board, or in the name of the War Production Board or the Civilian Production Administration, countersigned or attested by the Recording Secretary or other authorized official, or in accordance with Civilian Production Administration Regulation 1, or in accordance with Office of Temporary Controls Regulation 1, and which are in effect on May 4, 1947, are hereby adopted, ratified and confirmed and shall remain in full force and effect until they expire by their terms or are revoked or amended.

(e) Actions excluded. This regulation does not apply to those regulations, orders, actions and functions transferred to the Housing Expediter effective April 1, 1947, pursuant to Executive Order No. 9836 issued March 22, 1947, relating to the Veterans Emergency Housing Program and which were previously administered by the Civilian Production Administration within the Office of Temporary Controls.

(f) Civilian Production Administration Regulation 1 superseded. This regulation supersedes Civilian Production Administration Regulation 1.

(g) Effective date. This regulation shall become effective on May 4, 1947, simultaneously with the provisions of Part II of Executive Order No. 9841.

(E. O. 9841, April 23, 1947)

Issued this 2d day of May 1947.

W A. HARRIMAN. Secretary of Commerce.

[F R. Doc. 47-4308; Filed, May 2, 1947; 11:37 a. m.]

[Office of Materials Distribution Reg. 1]

PART 903-DELEGATIONS OF AUTHORITY

§ 903.02 Delegation and exercise of powers—(a) Explanation. By Materials Control Regulation 1 of the Secretary of Commerce, effective May 4, 1947, the Director of the Office of Materials Distribution, Bureau of Foreign and Domestic Commerce, Department of Commerce, has been authorized to perform certain

functions and to exercise certain powers. authorities and discretion now or hereafter vested in the Secretary of Commerce under section 203 of Part II of Executive Order No. 9841. Such functions include certain of those previously performed by the Civilian Production Administration, Office of Temporary Controls. This regulation provides for the performance of the authorities thus vested in the Director of the Office of Materials Distribution.

(b) Official signatures. All actions hereafter taken in performance of the functions or in exercise of the powers, authorities and discretion now or hereafter vested in the Director of the Office of Materials Distribution, under Materials Control Regulation 1, may be taken by the Director of the Office of Materials Distribution, or in the name of the Office of Materials Distribution countersigned or attested by the Issuance Officer of the Office of Materials Distribution.

(c) Effective date. This regulation shall become effective on May 4, 1947, simultaneously with the provisions of Materials Control Regulation 1 of the Secretary of Commerce.

(E. O. 9841, April 23, 1947)

Issued this 2d day of May 1947.

H. B. McCoy, Director.

Office of Materials Distribution.

[F. R. Doc. 47-4309; Filed, May 2, 1947; 11:37 a. m.]

Chapter XXIII—War Assets Administration

[Reg. 1,1 Order 1]

PART 8301-DESIGNATION OF DISPOSAL AGENCIES AND PROCEDURES FOR REPORT-ING SURPLUS PROPERTY LOCATED WITHIN THE CONTINENTAL UNITED STATES, ITS TERRITORIES AND POSSESSIONS

ASSIGNMENT OF SURPLUS PROPERTY

War Assets Administration Regulation 1, Order 1, April 2, 1947, entitled "Assignment of Surplus Property" (12 F R. 2313) is hereby revised and amended as herein set forth. Accordingly, it is hereby ordered that:

§ 8301.51 Assignment of surplus property. There is hereby assigned to the Government disposal agencies named below such items or types of surplus property located in the continental United States as are listed under the name of each agency. The code numbers used herein are those of the Standard Commodity Classification (U. S. Government Printing Office), to Volume I of which reference must be made for a complete list of the items or types of surplus property assigned by means of the code number.

PART 1-CRUDE MATERIALS

WAR ASSETS ADMINISTRATION

01 Live animals.

Crude animal products, edible.

- Crude animal products, inedible, except fibers.
- Crude vegetable products, edible.
- Crude vegetable products, inedible, ex-cept fibers, and except 05-7143 Coca leaves; Marihuana leaves, classified under 05–7149; 05–7164 opium-bearing plant parts.
- 06 Fibers, vegetable and animal, unmanufactured.
- Coal, crude petroleum, and related crude hydrocarbons.
- Metallic ores, tailings, concentrates and their unrefined metallic products.

 Crude nonmetallic minerals, except coal
- and petroleum.

PART 2-BASIC MATERIALS AND PRODUCTS WAR ASSETS ADMINISTRATION

- Leather.
- 12 Boot and shoe cut stock and shoe findings.
- Wood basic materials, except pulpwood. Pulp, paper and paper board.
- 15 Textile basic manufactures.
- Food and beverage basic materials,
- Olls, fats, waxes, and derivatives, animal and vegetable.
- Petroleum and coal products, except raw materials for chemical industries.
- 19 Chemicals.
- Iron, and iron and steel scrap.
- Steel.
- Ferro and nonferrous additive alloys.
- 24 Nonferrous metals.
- Fabricated metal basic products.
- Nonmetallic mineral basic productschiefly structural.
- 27 Nonmetallic mineral basic productschiefly nonstructural.
- 29 Miscellaneous basic materials.

PART 3-END PRODUCTS

WAR ASSETS ADMINISTRATION

- 31 General purpose industrial machinery and equipment.
- Electrical machinery and apparatus. Special industry machinery.
- Metal working machinery.
- Agricultural machinery and implements.
- 36 Construction, mining, excavating and related machinery.
 - Tractors.
- 38 Office machines.
- Miscellaneous machinery.
- Communications equipment and electronic devices.
- 42 Aircraft.
- 43-16 Barges, including scows, lighters and car floats, (knocked down, irrespective of length).
- 43-17 Tugs and towboats, knocked down (irrespective of length).
- 43-29 Assault boats and rubber landing boats only.
- 43-31 Barges, scows and lighters (affoat. non-propelled, under 30 feet).
- 43-3202 House boats (non-propelled, under 30 feet).
- 43-33 Tugs, only "Sea Mules" (irrespective of length).
- 43-352 Dredges (non-propelled, under 30 feet).
- 43-353 Pile drivers (non-propelled, under 30 feet).
- 43-354 Derricks, including cranes (non-propelled, under 30 feet).
- Workshops, floating (non-propelled, under 30 feet). 43-355
- Chambers, submarine rescue. 43-356
- Pontoons, salvage. 43-357
- Facility equipment, n. e. c., (non-propelled, under 30 feet). 43-359
- 43-46 Transporters and work boats (non-propelled, under 30 feet).
- 43-47 Unrigged scows (non-propelled, under 30 feet).

¹Reg. 1 (12 F. R. 2249).

- 43-49 Miscellaneous fishing craft (nonpropelled, under 30 feet).
 43-52 Lifeboats (propelled and non-pro-
- pelled, irrespective of length).

Life floats, or rafts, except rubber. 43-53 43-541 Rowboats.

43-542 Canoes

Sailboats (pleasure craft). 43-543

Pleasure craft, n. e. c. (non-pro-43-549 pelled).

43-55 Oars and paddles. 43-56 Pontoons, bridge.

- Small craft, n. e. c. (non-propelled, under 30 feet). 43-59
- Marine main propulsion machinery 43-60 and gears.

43-70 Shafting and ship propellers.

Steering gears. 43-80

43-90 Miscellaneous special ship equipment.

44 Railroad transportation equipment.

Motor vehicles. 45

Miscellaneous transportation equipment.

Plumbing and heating equipment.

Air conditioning and refrigeration equipment.

53 Lighting fixtures. 54 Furniture and fixtures.

Photographic goods and processed motion pictures.

Optical instruments and apparatus.

Indicating, recording, and controlling in-struments and accessories, except watches and clocks.

58 Professional and scientific instruments and apparatus.

Miscellaneous equipment.

- Food, manufactured.
- 62 Feed, manufactured.
- Beverages and ice.
- Tobacco manufactures.
- Drugs and medicine, except the follow-

65-2120 through 65-2129. Coca alkaloids, derivatives and preparation, m. g.

65-2150 through 65-2159. Opium alkaloids, derivatives and preparations, m. g.

65-2222 through 65-22229. Opium, opium processed and preparations, m. g.

65-3203 through 65-32039. Cannabis, dried flowering top and prepara-tions, m. g., (Marihuana, dried flowering top, and preparations,

65-7000 through 65-7970. Prescription pharmaceuticals and preparations containing two or more therapeutic agents, m. g., when they contain any quantity of opium, coca leaves, cannabis or, their derivatives, including, but not limited to, the following items:

65-7141-1 Powder of ipecac and opium, m. g.

65-7161-2 Epinephrine and comine, m.g.

65-7250-2 Compound mixture of opium and glycyrrhiza, m. g. (Brown mixture).

65-7271-143 Elixir of terpine hydrate and codeine, m. g.

65-7271-601 Camphorated tincture of opium, m. g.

65-7950-6 Dilaudid hydrochloride suppositories, m. g.

65 Drugs and medicine, except the following-Continued

65-8000 through 65-8230. Proprietary remedies, nonpreceription and pharmaceuticals, containing two or more medicinal agents, for human and nnimal use, m. g., when they cen-tain any quantity of culum, casa leaves, cannabis or their derivatives. 66 Tolletries, econocies, cosp. and house-

hold chemical preparations.

Apparel, except footwear.

Footwear.

Fabricated textile products, except apparel.

End products of leather, except apparel, footwear and luggage.

Converted paper products and pulp goods.

Products of printing and publishing industries.

Rubber end products.

End products of metal industries.

Finished wood products, except furniture and mill work.

End products of glass, clay, and stone. Miscellaneous end products of manufac-

turing industries. Small arms'and components.

Artillery, naval guns, mortars and components. Small arms ammunition and specifically

adapted components.

Artillery, naval, and mortar ammunition and specifically adapted components.

Aerial bombs and specifically adapted components.

Miscellaneous ammunition and related products.

Common components of ammunition. 87

23

Fire control coulpment.

Miscellaneous ordnance and ordnance material.

MARITIME COMMISSION

43 Ships, small watercraft, and marine propulsion mechinery, including 43-29 landing craft and vessels only (except as further indicated under War Accets Administration), and except: 3-21 Battleships,

43-21

43-22 Cruicero.

43-23 Aircraft carriers, 43-24 Destroyers,

43-25 Submarines,

43-271 Ecgles only, and 43-279 Frigates only.

NAVY DEPARTMENT

43-271 Gunboats (engles enly). 43-279 Patrol vessels not otherwise clas-cified (frigates only).

(Surplus Property Act of 1944, as amended (58 Stat. 765, as amended; 50 U. S. C. App. Sup. 1611) Pub. Law 181, 79th Cong. (59 Stat. 533; 50 U.S. C. App. Sup. 1614a, 1614b) and E. O. 9629 (11 F. R. 1265))

This section shall become effective May 1, 1947.

> ROBERT M. LITTLEJOHI. Administrator.

MAY 1, 1947.

[F. R. Doc. 47-4362; Filed, May 2, 1947; 11:27 a. m.]

TITLE 33—NAVIGATION AND **NAVIGABLE WATERS**

Chapter III—Coast Guard: Inspection and Navigation

PART 303-REGULATIONS TO PROMOTE THE SAFETY OF LIFE ON NAVIGABLE WATERS DURING REGATIAS OR MARINE PARADES

REGATTA ON ONIO HIVER

CROSS REFERENCE: For notice of regatta on the Ohio River and the applicability of the regulations in this part thereto, see F. R. Doc. 47-4239 under United States Coast Guard, Treasury Department, in Notices section, mfra.

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

Appendix A-Weivers of Navigation and Vessel Inspection Laws and Regulations

ICGFR 47-231

EMPLOYMENT OF ALTERS AS UNLICENSED CREW MELIEEES

By virtue of the authority vested in me by the act of March 31, 1947 (Fublic Law No. 27, Eith Congress) I hereby amend the order dated June 13, 1942 (7 P R. 4515) as amended to read as fol-IOV2:

I hereby waive compliance with the provisions of sections 302 (a), (b) and (c) of the act of June 29, 1935, 49 Stat. 1992 (46 U.S. C. 1132 (a) (b) and (c)) to the extent necessary to permit the employment of aliens in the unlicensed crew of subsidized vessels of the United States in a percentage not to exceed twenty-five percentum of the entire unlicensed crew employed on any subsidized vessel of the United States. This waiver authority expires on June 1, 1947. (Pub. Law 27, 80th Cong.)

Dated: April 28, 1947.

J. P. PARLEY, Admiral, U. S. Coast Guard, Commandant.

[P. R. Doc. 47-423; Filed, May 2, 1947; 8:57 a. mcl

TITLE 50-WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subshapter A-Hunting and Possession of Wild!Ho

PART 1-MIGRATORY BIEDS AND GAME Manualles

Cnoss Revenence: For the addition of §§ 1.71 to 1.73, inclusive, see Proclamation 2730, supra.

PROPOSED RULE MAKING

TREASURY DEPARTMENT

Bureau of Customs [19 CFR, Part 6]

[192-36.32]

INTERNATIONAL FALLS MUNICIPAL AIRPORT, INTERNATIONAL FALLS, MINN.

NOTICE OF PROPOSED DESIGNATION AS TEMPORARY AIRPORT OF ENTRY FOR ONE YEAR

Notice is hereby given that, pursuant to authority contained in section 7 (b) of the Air Commerce Act of 1926, as amended (49 U. S. C., Sup., 177 (b)) it is proposed to designate the International Falls Municipal Airport, International Falls, Minnesota, as a temporary airport of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of said act (49 U.S.C. 179.(b)) for a period of 1 year. and it is further proposed to amend the list of temporary airports of entry in § 6.13, Customs Regulations of 1943 (19 CFR, Cum. Supp., 6.13), as amended, to show such designation.

This notice is published pursuant to section 4 of the Administrative Procedure Act (Public Law 404, 79th Congress) Data, views, or arguments with respect to the proposed designation of the abovementioned airport as an airport of entry may be addressed to the Commissioner of Customs, Bureau of Customs, Washington 25, D. C., in writing. To assure consideration of such communications, they must be received in the Bureau of Customs not later than 20 days from the date of publication of this notice in the FEDERAL REGISTER.

E. H. Foley, Jr., Acting Secretary of the Treasury.

APRIL 29, 1947.

[F .R. Doc. 47-4241; Filed, May 2, 1947; 8:57 a.m.]

FEDERAL TRADE COMMISSION

[16 CFR, Ch. I]

[File No. 21-400]

VERTICAL TURBINE PUMP INDUSTRY

NOTICE OF HEARING AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJEC-TIONS

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 30th day of April A. D. 1947.

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, partnerships, corporations, or-

ganizations, or other parties, affected by or having an interest in the proposed trade practice rules for the Vertical Turbine Pump Industry, to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises. For this purpose they may obtain copies of the proposed rules upon request to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than May 28, 1947. Opportunity to be heard orally will be afforded at the hearing beginning at 10:00 a.m., May 28, 1947, in Room 332, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street, NW., Washington, D. C., to any such persons, partnerships, corporations, organizations, or other parties who desire to appear and be heard. After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

By the Commission.

[SEAL]

Otis B. Johnson, Secretary,

[F. R. Doc. 47-4212; Filed, May 2, 1947; 8:54 a. m.]

NOTICES

TREASURY DEPARTMENT

United States Coast Guard

[CGFR 47-24]

REGATTA ON OHIO RIVER

Pursuant to the authority vested in me by section 1, act of April 28, 1908 (Title 46, U. S. C., sec. 454) and Reorganization Plan No. 3 of 1946, notice is hereby given that there will be a regatta, composed of two crew races, on the Ohio River at Cincinnati, Ohio, on the afternoon of Saturday, May 3, 1947. The course for the regatta will be on the southern side of the Ohio River and will be marked off by four rubber balloon marker buoys. It will be one hundred fifty feet wide and will begin approximately at Oscar F Barrett Light, mile 467.3, and extend down stream one and five sixteenths miles to approximately mile 469.4.

This regatta will be patrolled by the U.S. Coast Guard, and the regulations to promote the safety of life on navigable waters during regattas or marine parades contained in Part 303, Chapter III, Title 33, U.S. Code of Federal Regulations, shall apply.

Dated: April 28, 1947.

J. F. FARLEY, Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 47-4239; Filed, May 2, 1947; 8:57 a. m.]

[CGFR 47-25]

APPROVAL AND TERMINATION OF APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4418, 4426, 4433, 4470, 4481, 4488, 4491, as amended, 49 Stat. 1384, 1544, 54 Stat. 1028, sec. 5 (e) 55 Stat. 244 (46 U. S. C. 367, 369, 375, 391a, 392, 404, 411, 463, 463a, 474, 481, 489, 50 U. S. C. 1275) and sec. 101, Reorganization Plan No. 3 of 1946 (11 F. R. 7875) the following approvals and termination of approval are prescribed:

DAVIT

Welin MacLachlan gravity davit, Type 60–75; general arrangement Dwg. No. 6075–1, dated Nov. 25, 1941, altered Mar. 25, 1947, to include trackway dimensions of 10-inch channels; submitted by the Welin Davit and Boat Division of the Robinson Foundation, Inc., Perth Amboy, N. J. This approval supersedes the approval published in the Federal Register March 4, 1942 (7 F. R. 1700) which is hereby terminated.

FIRE RETARDANT MATERIALS FOR VESSEL CONSTRUCTION

J-M Aircoustic Sheet; mineral wool type structural insulation identical to J-M BX-18 described in National Bureau of Standards' Test Report No. TG-3619-36; FR-1404, dated May 17, 1939, with special sanded surface; boards approved

for use without other insulating material to meet Class A-60 requirements in a two-inch thickness and 18 pounds per cubic foot density; submitted by Johns-Manville Sales Corp., 22 East 40th St., New York 16, N. Y.

J-M Marine Acoustical Unit; mineral wool type structural insulation identical to J-M BX-18 described in National Bureau of Standards' Test Report No. TG-3619-36; FR-1404, dated May 17, 1939, with special sanded surface and three-sixteenths inch perforated J-M Marine Veneer added; boards approved for use without other insulating material to meet Class A-60 requirements in a two-inch thickness and 18 pounds per cubic foot density exclusive of the J-M Marine Veneer' submitted by Johns-Manville Sales Corp., 22 East 40th St., New York 16, N. Y.

LIFEBOAT

16' x 5.5' x 2.38' steel oar-propelled lifeboat; 12-person capacity; construction and arrangement Dwg. No. 408, dated December 29, 1943, and revised Mar. 13, 1946; submitted by the Welin Davit and Boat Division of the Robinson Foundation, Inc., Perth Amboy, N. J.

SAFETY VALVES

Farris Type No. 2399 safety valve; sizes ranging from 1½" diameter to 4" diameter, inclusive; for 300 pounds per square inch and 600 pounds per square inch primary pressure rating; maximum

temperature of 650° F. when valve is equipped with carbon steel springs; temperatures of 650° F. to 850° F. maximum when valve is equipped with alloy steel springs; manufactured by Farms Engineering Co., Commercial Ave., Palisades Park, N. J.

CONDITIONS OF APPROVAL AND TERMINATION OF APPROVAL

The above approvals shall be effective upon the date of publication of this document in the FEDERAL REGISTER.

The termination of approval made by this document shall be made effective upon the 31st day after the date of publication of this document in the FEDERAL REGISTER. Notwithstanding this termination of approval on any item of equipment, such equipment made before the effective date of termination of approval may be used so long as it is in good and serviceable condition.

Dated: April 29, 1947.

J. H. FARLEY, Admiral, U.S.C.G., Commandant.

[F. R. Doc. 47-4240; Filed, May 2, 1947; 8:57 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Gum. Supp., E. O. 9567, The Comp. 1045, CFR, 1045, Supp., E. O. 9567, Supp., Supp., E. O. 9567, Supp., Supp., E. O. 9567, Supp., Supp., Supp. June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

> [Vesting Order 8757] HAROLD BLANCHARD

In re: Trust u/w Harold Blanchard, deceased. File D-28-4251, E. T. sec. 7265.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Yvonne von Courten Rommel and Laura Irene von Courten, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the issue, names unknown, of Yvonne von Courten Rommel, and the issue, names unknown, of Laura Irene von Courten, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

- 3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the Trust under the Will of Harold Blanchard, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)
- 4. That such property is in the process of administration by Archibald Blanchard and Edward J. Samson, as trustees, acting under the judicial supervision of the Probate Court of Suffolk County, Massachusetts:

and it is hereby determined:

No. 88-

5. That to the extent that the above named persons and the issue, names unknown, of Yvonne von Courten Rommel, and the issue, names unknown, of Laura Irene von Courten, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 18, 1947.

For the Attorney General.

ISEAL

DONALD C. COOK, Director.

[F. R. Doc. 47-4213; Filed, May 2, 1947; 8:48 a. m.]

[Vesting Order 8760]

CHARLES KRAUSE

In re: Estate of Charles Krause, deceased. D-28-3574; E. T. sec. 5783.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

- 1. That the heirs at law, names unknown, of Augusta Wehner, deceased and the heirs at law, names unknown of Marie Krause, deceased, who there is reasonable cause to believe, are residents of Germany, are nationals of a desig-
- nated enemy country (Germany),
 2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof in and to the estate of Charles Krause, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);
- 3. That such property is in the process of administration by the Treasurer of Cook County, as depositary, acting under the judicial supervision of the Probate Court of Cook County, Chicago, Illinois;

and it is hereby determined:

4. That to the extent that the heirs at law, names unknown, of Augusta Wehner, deceased and the heirs at law, names unknown, of Marie Krause, deceased, are not within a designated enemy country. the national interest of the United States requires that such persons be treated as nationals of a designated enemy country

All determinations and all action required by law, including appropriate con-

sultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 18, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director.

[P. R. Doc. 47-4214; Filed, May 2, 1947; 8:48 a. m.]

[Vesting Order 8761] MARIA MAURER

In re: Estate of Maria Maurer, deceased. File No. D-28-10771, E. T. sec. 15175.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:
1. That "Jane" Schmidt (name "Jane"

- being fictitious, true first name being unknown), "Mary" Schmidt (name "Mary" being fictitious, true first name being unknown) Frieda Schopflin, Emma Rubin, Lena Zieglmeier, Barbara Kunder and Louisa Durnberger, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)
- 2. That the issue, names unknown of "Jane" Schmidt, issue, names unknown, of "Mary" Schmidt, issue, names unknown, of Frieda Schopflin, issue, names unknown, of Emma Rubin, issue, names unknown, of Lena Zieglmeier, issue, names unknown, of Barbara Kunder, and the issue, names unknown, of Louisa. Durnberger, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of Maria Maurer, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

4. That such property is in the process of administration by William Hirzler and Barbara Hirzler, as co-executors, acting under the judicial supervision of the Surrogate's Court of Queens County, New York:

and it is hereby determined:

5. That to the extent that the above named persons and the issue, names unknown, of "Jane" Schmidt, issue, names unknown, of "Mary" Schmidt, issue, names unknown, of Frieda Schopflin, issue, names unknown, of Emma Rubin,

issue, names unknown, of Lena Zieglmeier, issue, names unknown, of Barbara Kunder, and the issue, names unknown, of Louisa Durnberger, are not within a désignated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 18, 1947...

For the Attorney General.

[SEAL]

DONALD C. COOK, Director

[F. R. Doc. 47-4215; Filed, May 2, 1947; 8:48 a. m.]

[Vesting Order 8763]

CARL W PAUL

In re: Trust under will of Carl W Paul, deceased. File No. D-28-6546; E. T. sec. No. 5168.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

- 1. That Carl Paul, Ida Paul, Hubert Quolke, Johanna Streich, Kaethe Schwiekert (nee Adelberger) Maria Erbacher (nee Adelberger) Valentin Adelberger, Barbara Katharina Kobler, Maria Schuck, Katharina Magdalene Maurer and Augusta Adelberger, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)
- 2. That the issue of Carl Paul; the issue of Ida Paul; the issue, names unknown, of Mina Paul; the issue, names unknown, of Augusta Paul; the issue of Henrietta Paul; and the personal representatives, heirs, next of kin, legatees, and distributees, names unknown, of Kathrina Paul, who there is reasonable cause to believe are residents of Germany are nationals of a designated enemy country (Germany)
- 3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the Trust created under the Will of Carl W Paul, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)
- 4. That such property is in the process of administration by Commissioner of Finance, as Depositary, acting under the

judicial supervision of the Surrogate's Court, Westchester County, State of New York;

and it is hereby determined:

5. That to the extent that the above named persons and the issue of Carl Paul; the issue of Ida Paul; the issue, names unknown, of Mina Paul; the issue, names unknown, of Augusta Paul; the issue of Henrietta Paul; and the personal representatives, heirs, next of kin, legatees, and distributees, names unknown, of Kathrina Paul, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 18, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,

Director

[F. R. Doc. 47-4216; Filed, May 2, 1947; 8:48 a. m.]

[Vesting Order 8784] CAROLA BLEIDORN ET AL.

In re: Bank accounts owned by Carola

Bleidorn and others.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons listed in Exhibit A, attached hereto and by reference made a part hereof, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That the property described as follows: Those certain debts or other obligations of The San Francisco Bank, 526 California Street, San Francisco A, California, arising out of savings accounts, the account numbers of which are set forth in Exhibit A, attached hereto and by reference made a part hereof, entitled in the manner set forth in the aforementioned Exhibit A, and any and all rights to remand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the persons listed in Exhibit A, the aforesafd nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons listed in Exhibit A hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 24, 1947.

For the Attorney General.

[SEAL]

DONALD C. Cook, Director

EXHIBIT A

Name of owner	Title of account	Account No.	OAP No.
Carola Bleidorn	Edmund F. Russ, trustee for Carola Bleidorn.	760006	F-23-7316-E-1
Ernst Illing. Elleanor von Seyfried, also known as Eleanore Thusnelda Helena von Seyfried.	Edmund F. Russ, trustee for Ernst Illing	700000 700012	F-23-4984-E-1 F-23-6610-E-1
John von Seyfried, also known as Johann Eugen Willibald von Seyfried.	Edmund F. Russ, trustce for John von Sevfried.	700011	F-23-5611-E-1
Ernst Heydenreich, also known as Ernst Heinrich Christian Heydenreich.	Edmund F. Russ, trustee for Ernst Heydenreich.	763723	F-23-7143-E-1
Elsie Mebius, also known as Elise Mebius.	Edmund F. Russ, trustee for Elsie Me- bius.	760614	F-23-7200-II-1

[F. R. Doc. 47-4217; Filed, May 2, 1947; 8:48 a. m.]

[Vesting Order 8785]

Willie Eder

In re: Bank account owned by Willie Eder. F-28-23752-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Execu-

tive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Willie Eder, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany).

2. That the property described as follows: That certain debt or other obligation of First Wisconsin National Bank, 743 North Water Street, Milwaukee, Wisconsin, arising out of a savings account, Account Number B. O. 9505, entitled George Engelhardt, Attorney in Fact, for Willie Eder, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Willie Eder, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, adminstered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 24, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director

[F. R. Doc. 47-4218; Filed, May 2, 1947; 8:48 a. m.]

[Vesting Order 8787]

ADAM JETHON ET AL.

In re: Bank accounts owned by Adam Jethon, Josef Jethon, Katharina Jethon, Frieda Martini, Elèonore Papst and Hermann Siebner.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Adam Jethon, Josef Jethon, Katharina Jethon, Frieda Martini, Eleonore Papst, and Hermann Siebner, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That the property described as follows: Those certain debts or other obligations owing to the persons whose names are set forth in Exhibit A, attached hereto and by reference made a part hereof, by First Wisconsin National Bank, 743 North Water Street, Milwaukee, Wisconsin; arising out of demand deposits entitled in the manner set forth in the aforementioned Exhibit A, and

any and all rights to demand, enforce and collect the same.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany).

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate con-

sultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 24, 1947.

For the Attorney General.

[SEAL]

Donald C. Cook, Director.

Eximit A

Name of owner	Title of eccount	OAP FE2 No.
Katharina Jethon Frieda Martini Eleonore Papet	Adam Jethon Jacob Jethon Katherina Jethon Katherina Jethon Armendurnzara Frieda Martini Elemeno Papet Hermann Siebeer	F-23-2111-E-1 F-23-2110-E-1 F-23-2112-E-1 F-23-2223-E-1 F-23-2233-E-1

[F. R. Doc. 47-4219; Filed, May 2, 1947; 8:48 a. m.]

[Vesting Order 8788]

HERMANN KAUFMANN

In re: Debt owing to Hermann Kaufmann. D-28-4672-D-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hermann Kaufmann, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation evidenced by one (1) Windermere Hotel First Mortgage Fee Refunding and Sinking Fund Bond, of \$500.00 face value, bearing the number D1005, registered in the name of Hermann Kaufmann, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 24, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director.

[F. R. Doc. 47-4220; Filed, May 2, 1947; 8:54 a. m.]

[Vesting Order 8789]

KYODO FIRE INSURANCE CO., LTD.

In re: Debt owing to Kyodo Fire Insurance Company, Ltd. F-39-1193-C-2.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

- 1. That Kyodo Fire Insurance Company, Ltd., the last known address of which is Osaka, Japan, is a corporation, partnership, association or other business organization, organized under the laws of Japan, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Japan and is a national of a designated enemy country (Japan).
- 2. That the property described as follows:

a. That certain debt or other obligation owing to Kyodo Fire Insurance Company, Ltd., by The Constitution Reinsurance Corporation, 90 John Street, New York 7, New York, in the amount of \$5,000.00, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to Kyodo Fire Insurance Company, Ltd., by The Constitution Reinsurance Corporation, 90 John Street, New York 7. New York, in the amount of \$918.44, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owner to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated

The terms "national" and "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 24, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director

[F. R. Doc. 47-4221; Filed, May 2, 1947; 8:54 a. m.]

[Vesting Order 8791]

WILHELMINE REICHENECKER ET AL.

In re: Bank accounts owned by Wilhelmine Reichenecker, Sophie Henger, Marie Kirschbaum and Philipp Hornung.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

- 1. That Wilhelmine Reichenecker, Sophie Henger, Marie Kirschbaum and Philipp Hornung, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany).
- 2. That the property described as follows: Those certain debts or other obliga-

tions owing to the persons whose names are set forth in Exhibit A, attached here-to and by reference made a part hereof, by Commonwealth Bank, Dime Building, Detroit, Michigan, arising out of the commercial accounts, numbered and entitled as set forth opposite the name of each of the aforesaid persons, maintained at the aforesaid bank, and any and all rights, to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States re-

quires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

'Executed at Washington, D. C., on April 24, 1947.

For the Attorney General.

Tomas Tomas

EAL] DONALD C. COOK,

Director,

EXHIBIT A

Name of owner	Title of accounts	Account No.	OAP No.
Philipp Hornung	Philipp Hornung	C11-209	F-28-11471-E-1
Wilhelmine Reichenecker	Wilhelmine Reichenecker	C11-210	F-23-13303-E-1
Sophle Henger	Sophie Henger	C11-213	F-23-11349-E-1
Marie Kirschbaum	Marie Kirschbaum	C11-214	F-23-11621-E-1

[F. R. Doc. 47-4223; Filed, May 2, 1947; 8:55 a. m.]

[Vesting Order 8790]

ALFRA WENZLER METZGER ET AL.

In re: Bank accounts owned by Alfra Wenzler Metzger, also known as Afra Wenzler Mezger, Josephine Wenzler Buhler, also known as Josefine Wenzler Buhler and John Wenzler also known as Johann Wenzler. F-28-13098-E-1, F-28-9413-E-1, F-28-12705-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

- 1. That Alfra Wenzler Metzger, also known as Afra Wenzler Mezger, Josephine Wenzler Buhler, also known as Josefine Wenzler Buhler, and John Wenzler, also known as Johann Wenzler, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany)
- 2. That the property described as follows:
- a. That certain debt or other obligation owing to Alfra Wenzler Metzger also known as Afra Wenzler Mezger by Madison Safe Deposit and Trust Company Madison, Indiana, arising out of a Savings Account, Account Number 14053, entitled Alfra Wenzler Metzger, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,
- b. That certain debt or other obligation owing to Josephine Wenzler Buhler, also known as Josefine Wenzler Buhler by Madison Safe Deposit and Trust Company, Madison, Indiana, arising out of a Savings Account, Account Number 14054, entitled Josephine Wenzler Buhler,

maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same, and

c. That certain debt or other obligation owing to John Wenzler, also known as Johann Wenzler by Madison Safe Deposit and Trust Company, Madison, Indiana, arising out of a Savings Account, Account Number 14055, entitled John Wenzler, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owner to, or which is evidence of ownership or control by, the aforesaid nations of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 24, 1947.

For the Attorney General.

[SEAL]

Donald C. Cook, Director

[F. R. Doc. 47-4222; Filed, May 2, 1947; 8:54 a. m.]

[Vesting Order 8792]

WIEBKE CHRISTINE MARGARETA ROHSE ET AL.

In re: Bank accounts owned by Wiebke Christine Margareta Rohse, also known as Wiebke Rose, and others.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons listed in Exhibit A, attached hereto and by reference made a part hereof, each of whose last known address is Germany, are residents of Germany, and nationals of a designated enemy country (Germany),

2. That the property described as follows: Those certain debts or other obligations owing to the individuals whose names are set forth in Exhibit A, attached hereto and by reference made a part hereof, by The First National Bank of Chicago, Chicago, Illinois, arising out of savings accounts, the account numbers of which are set forth in the aforesaid Exhibit A, entitled in the manner set forth in the aforementioned Exhibit A, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent the persons listed in Exhibit A, hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 24, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director.

Exhibit A

Name of owner	Title of exceunt	Account No.	OAP No.
Wiebko Christino Margareta Rehee, also known as Wiebko Rese. Wilhelmino Christino Holm, also known as Wilhelmini Holm. Heinrich Willy Kuchl Heinrich Eduard Kuchl Anna Heleno Dedert	Wiebko Christine Mergareta Robes Wilhelmine Christine Holm Heinrich Willy Kuchl Heinrich Eduard Kuchl Anna Heime Destert	1,230,264 1,330,265 1,230,266 1,230,267 1,230,268	F-23-2231-E-1 F-23-2231-E-1 F-23-2232-E-1 F-23-2337-E-1 F-23-23171-E-1

[F. R. Doc. 47-4224; Filed, May 2, 1947; 8:55 a. m.]

[Vesting Order 8793] Ernest Schultz

In re: Bank account owned by Ernest Schultz, F-28-3852-C-1, F-28-3852-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ernst Schultz, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2, That the property described as follows: That certain debt or other obligation of Bank of America National Trust and Savings Association, Market-Montgomery Street, San Francisco, California, arising out of a Savings Account, Account Number 1606, entitled I. F. or Tom F. Chapman, Trustees for Ernst Schultz, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned on controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Ernst Schultz, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:
3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy coun-

try (Germany).

All determinations and all action required by law, including appropriate consultation and certification having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 24, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,

Director.

[F. R. Doc. 47-4225; Filed, May 2, 1947; 8:55 a. m.]

[Vesting Order 7735, Amdt.]

FLORA HERTZ WWE

In re: Bonds owned by and debt owing to Flora Hertz wwe. F-28-23852-D-1, F-28-23852-C-1.

Vesting Order 7735, dated September 25, 1946, is hereby amended as follows and not otherwise:

By deleting the name "Flora Hertzvieve, also known as Flora Hertzwive" wherever it appears in said Vesting Order 7735 and substituting therefor the name "Flora Hertz wwe."

All other provisions of said Vesting Order 7735 and all actions taken by or on behalf of the Alien Property Custodian or the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on April 24, 1947.

For the Attorney General.

EAL] DONA

Donald C. Cook, Director.

[F. R. Doc. 47-4233; Filed, May 2, 1947; 8:56 a.m.]

[Vesting Order 8794]

MARTIN STECHER

In re: Stock owned by Martin Stecher. F-28-22459-D-1/5.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Martin Stecher, whose last known address is c/o Bayerische Vereinsbank, Munchen Bayern, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the name of Martin Stecher, together with all declared and unpaid dividends thereon, and

b. Ten (10) shares of no par value common (old) capital stock of Standard Brands Incorporated, 595 Madison Avenue, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificate number 2568, registered in the name of Martin Stecher, together with all declared and unpaid dividends thereon, and any and all rights of exchange thereof for no

par value common (new) capital stock of said Standard Brands Incorporated,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate con-

sultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 24, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director

EXHIBIT A

Name and address of corporation	State of incorpora- tion	Type of stock	Certificate No.	Number of shares
Consolidated Natural Gas Co., 30 Rocke- feller Plaza, New York, N. Y. Anaconda Copper Mining Co., 25 Broad- way, Now York, N. Y. Standard Oll Co., 30 Rockefeller Plaza, New York, N. Y. Radio Corp. of America, 30 Rockefeller Plaza, New York, N. Y.	Delaware Montans New Jersey Delayare	\$15 par value capital stock \$50 par value capital stock \$25 par value capital stock No par value common stock.	0102588 128379 C203008 N0109199	2 10 20 ·20

[F. R. Doc. 47-4226; Filed, May 2, 1947; 8:55 a. m.]

[Vesting Order 8797] TOMOAKI YAMADA

In re: Debt owing to Tomoaki Yamada. F-39-5519-C-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Tomoaki Yamada, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the property described as follows: That certain debt or other obligation owing to Tomoakı Yamada by Sun Life Assurance Company of Canada, 315 Montgomery Street, San Francisco, California, in the amount of \$624.50, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 24, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director.

[F. R. Doc. 47-4228; Filed, May 2, 1947; 8:55 a. m.1

[Vesting Order 8828]

ARTHUR K. HAMMOND

In re: T/D Arthur K Hammond. File D-28-7420; E. T. sec. 15952.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Gertrude Knape, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to and arising out of or under that certain trust agreement dated August 11, 1931, by and between Arthur K Ham-

mond and the Fidelity-Philadelphia Trust Company, and in and to all property held thereunder by the Fidelity-Philadelphia Trust Company, as trustee, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany),

3. That such property is in the process of administration by the Fidelity-Philadelphia Trust Company, as trustee, acting under the judicial supervision of the Orphans' Court of Philadelphia County,

Pennsylvania;

and it is hereby determined:

4. That to the extent that the persons identified in subparagraph 1 are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 30, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director.

[F. R. Doc. 47-4229; Filed, May 2, 1947; 8:55 a. m.]

[Vesting Order 8796]

HEINRICH VOGEL ET AL.

In re: Bank accounts owned by Heinrich Vogel, (Nephew), Heinrich Vogel (Brother) Carl Alexander Vogel and Philipp Jacob Vogel. F-28-4595-E-1, F-28-4596-E-1, F-28-4593-E-1, F-28-4597-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Heinrich Vogel (Nephew) Heinrich Vogel (Brother), Carl Alexander Vogel and Philipp Jacob Vogel, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows: Those certain debts or other obligations owing to the persons described in Exhibit A, attached hereto and by reference made a part hereof, by President and Directors, Bank of The Manhattan Company, 40 Wall Street, New York 15,

New York, arising out of Agency Accounts, Accounts Numbered and entitled as shown in Exhibit A, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 24, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director

EXHIBIT A

Name of national	Account No.	Title of account	File No.
Hemnich Vogel	290497	Heinrich Vogel (nephow)	F-23-4:33-E-1
	290477	Heinrich Vogel (brother)	F-23-4:33-E-1
	290457	Carl Alexander Vogel	F-23-4:33-E-1
	290537	Philipp Jacob Vogel	F-23-4:37-E-1

[F. R. Doc. 47-4227; Filed, May 2, 1947; 8:55 a. m.]

[Return Order No. 13],

Jackson & Perkins Co. et al.

Having considered the claims set forth below and having approved the Vested Property Claims Committee's Determinations and Allowance with respect thereto, which are incorporated by reference herein and filed herewith,

It is ordered. That the claimed property, described below and in the Determinations and allowance,1 including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for conservatory expenses:

Claimant and claim No.	Notice of intention to return published	Property
Jackson & Perkins Co., Newark, N. Y., Claims Nos. A-143, A-144.	12 F. R. 1355, Feb. 25, 1947.	Property described in Vesting Order No. 1623 (6 F. R. 4205, Apr. 2, 1943), relating to U. S. Patent Applications Serial No. 453,253 and Serial No. 454,57, to the extent surned by claimant immediately prior to the vesting
The Celotex Corp., Chicago, Ill., Claum No. 1271.	12 F. B. 1649, Mar. 8, 1947.	thereof. Property described in Vesting Order No. 201 (8 F. R. 625, Jan. 16, 1943), relating to U. S. Letters Patent Nos. 2,094,645 and 2,172,073, to the extent owned by chaimant immediately prior to the vesting thereof.
Christian Heinrich Hofsess, Paterson, N. J., Claim No. 5342.	12 F. R. 1639, Mar. 8, 1947.	
Walter M. Weis, New York, N. Y., Claim No. 971.	12 F. R. 1717, Mar. 12, 1947.	Property described in Verting Order No. 261 (6 F. R. 625, Jan. 16, 1943), relating to U. S. Patent No. 2,110,518, to the extent sweed by claimant immediately prior to the verting thereof.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on April 30, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK. Director.

[F. R. Doc. 47-4230; Filed, May 2, 1947; 8:56 a. m.]

[Vesting Order 8834]

EMMA L. SAUTER

In re: Estate of Emma L. Sauter, deceased. File D-28-9479; E. T. sec. 12788.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Alline DeMuralt and Sylvia Elizabeth DeMuralt, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the Estate of Emma L. Sauter, deceased, is property payable or deliverable to, or claimed by,

the aforesaid nationals of a designated enemy country (Germany)

3. That such property is in the process of administration by Paul F. Lathrop and Martha Foster, as Executor and Executrix, respectively, acting under the ju-dicial supervision of the Surrogate's Court of Schenectady County, New York;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 30, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director.

[P. R. Doc. 47-4235; Filed, May 2, 1947; 8:55 a. m.]

[Vesting Order 8835]

BERTHA VOGT

In re: T/D Bertha Vogt. File F-28-13814, G-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

- 1. That Eugene Frederick, Josephine Frederick, Otto Vogt, Hugo Vogt, Rudolph Vogt, Herman Vogt, Annette Vogt, Bertha Vogt, and Max Winterer, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)
- 2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified m subparagraph 1 hereof, and each of them, in and to and arising out of or under that certain trust agreement dated July 19, 1935, by and between Bertha Vogt and Provident Trust Company of Philadel-phia, and in and to all property held thereunder by Provident Trust Company of Philadelphia, as trustee, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany)
- 3. That such property is in the process of administration by Provident Trust Company of Philadelphia, as trustee,

²Filed with the Division of the Federal

acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

and it is hereby determined:

4. That to the extent that the persons identified in subparagraph 1 are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 30, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director

[F. R. Doc. 47-4234; Filed, May 2, 1947; 8:56 a. m.]

[Return Order 11, Amdt.]

BATES MFG. CO. ET AL.

Return Order No. 11, dated April 14, 1947, is hereby amended as follows and not otherwise:

By deleting the number "2,242,896" in the last paragraph thereof under "Property" and substituting therefor the number "2,242,986"

All other provisions of said Return Order No. 11 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on April 30, 1947.

For the Attorney General.

DONALD C. COOK, Director

[F. R. Doc. 47-4231; Filed, May 2, 1947; 8:56 a. m.]

EASTMAN KODAK CO.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading with the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

NOTICES

Claimant	Claim No.	Property
Eastman Kodak Co., Rochester, N. Y.	80	Property described in Vesting Order No. E3 (7 F. R. 6181, Aug. 11, 1942), relating to U. S. Patent Application Serial No. 326,456 (now U. S. Letters Patent No. 2,295,501), to the extent owned by the claimant immediately prior to the vesting thereof.

Executed at Washington, D. C., on April 30, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director

[F. R. Doc. 47-4232; Filed, May 2, 1947; 8:56 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

WESTERN SALES CO. STOCKYARDS, NORTH PLATTE, NEBR.

POSTING OF STOCKYARDS

The Secretary of Agriculture has information that the Western Sales Company Stockyards, owned and operated by Ben M. Harrison, Clyde J. Speck, Cleve S. Milroy and John P. Hanson, a partnership doing business as the Western Sales Company at North Platte, Nebraska, is a stockyard as defined by section 302 of the Packers and Stockyards Act, 1921 (7 U.S.C. 202) and should be made subject to the provisions of that act.

Therefore, notice is hereby given that the Secretary of Agriculture proposes to issue a rule designating the stockyard listed above as a posted stockyard subject to the provisions of the Packers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.) as is provided in section 302 of that Any interested person who desires to do so may submit within fifteen (15) days after the publication of this notice any data, views, or argument, in writing, on the proposed rule to the Director of the Livestock Branch, Production and Marketing Administration. United States Department of Agriculture, Washington 25, D. C.

Done at Washington, D. C., this 29th day of April 1947.

[SEAL]

H.E. REED,
Director
Livestock Branch.

[F. R. Doc. 47-4211; Filed, May 2, 1947; 8:55 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 2897]

CHALLENGER AIRLINES Co.

NOTICE OF HEARING

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith of Challenger Airlines Company over its system.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said act, that the above-entitled proceeding, insofar as it relates to a tem-

porary rate for the period beginning with the inauguration of the petitioner's airmail service over AM 74 is assigned for hearing on May 6, 1947, at 10 a.m. (castern standard time), in Room 1302, Temporary "T" Building, 14th Street and Constitution Avenue NW., Washington, D. C., before Examiner Paul N. Pfeisser.

Dated Washington, D. C., April 30, 1947. By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN, Secretary.

[F. R. Doc. 47-4242; Filed, May 2, 1047; 8:45 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-880]

TEXAS EASTERN TRANSLISSION CORP

NOTICE OF ORDER EXTENDING PRESENT ALLO-CATION OF EMERGENCY DELIVERIES OF GAS FROM BIG INCH LINES

APRIL 30, 1947.

Notice is hereby given that, on April 30, 1947, the Federal Power Commission issued its order entered April 29, 1947, extending present allocation of emergency deliveries of gas from the Big Inch Lines in the above-designated matter.

[SEAL]

Leon M. Fuquay, Secretary.

[F. R. Doc. 47-4208; Filed, May 2, 1947; *8:55 a. m.]

[Docket No. IT-6024]

FLORIDA POWER CORP.

ORDER TERMINATING PROCEEDINGS

It appearing to the Commission that:
(a) On January 10, 1947, the Commission entered an order in the above entitled proceedings suspending for a period of five months from January 13, 1947, the operation of the agreement and rate schedule submitted by Florida Power Corporation and designated as Florida Power Corporation Rate Schedule FPC No. 21, providing for changes in the rates and charges for the sale of electric energy to the City of Quincy, Florida, and ordered a hearing thereon which was subsequently fixed for May 6, 1947.

- (b) During the period of suspension the order directed that the rates or charges now being collected by Florida Power Corporation from the City of Quincy as provided in Florida Power Corporation Rate Schedule FPC No. 16 shall continue in effect.
- (c) On April 25, 1947, Florida Power Corporation filed a request for permission to withdraw its proposed rate schedule designated as Florida Power Corporation Rate Schedule FPC No. 21 and notified the Commission that it will continue

to serve the City of Quincy, Florida, pursuant to the agreement and rate schedule on file with the Commission designated as Florida Power Corporation Rate Schedule FPC No. 16.

The Commission orders that:

The proceedings in this docket be and they are hereby terminated.

Date of issuance: April 30, 1947.

By the Commission:

[SEAL]

Leon M. Fuquay, Secretary.

[F. R. Doc. 47-4207; Filed, May 2, 1947; 8:55 a.m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 723]

Unloading of Equipment at Weehawken, N. J., and New York, N. Y.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of April A. D. 1947.

It appearing, that 4 cars containing transportation equipment, at Weehawken, New Jersey, and 1 car containing steel wire at New York, N. Y., on The New York Central Railroad Company, have been on hand for unreasonable lengths of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action: it is ordered, that:

(a) Equipment at Weehawken, N. J., and New York, N. Y., be unloaded. The New York Central Railroad Company, its agents or employees, shall unload immediately cars ACL 76046, GA 12241, GN 69544 and SP 41414, containing transportation equipment, on hand at Weehawken, N. J., consigned shippers order, notify Edw. L. Wynne; also car EJE 60797, containing steel wire, on hand at 60th Street, New York, N. Y., consigned to order of Jones & Laughlin Steel Company, notify Dulien Steel Products Company.

(b) Demurrage. No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., May 1, 1947, and continuing until the actual unloading of said car or cars is completed.

(c) Provisions suspended. The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) Notice and expiration. Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(41 Stat. 476, sec. 4; 40 Stat. 101, sec. 402; 54 Stat. 901, 911, 49 U.S. C. 1 (10)-(17), 15 (2))

By the Commission, Division 3.

[SEAL]

W P. BARTEL, Secretary.

[F. R. Doc. 47–4192; Filed, May 2, 1947; 8:46 a. m.]

[S. O. 724]

UNLOADING OF CARS AT JERSEY CITY, N. J.

At a session of the Interstate Commerce Commission, division 3, held at its office in Washington, D. C., on the 29th day of April A. D. 1947.

It appearing that 8 cars containing various commodities at Jersey City, New Jersey, on the Baltimore and Ohio Railroad Company, have been on hand for unreasonable lengths of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action: it is ordered, that:

(a) Cars at Jersey City, N. J., be unloaded. The Baltimore and Ohio Railroad Company, its agents or employees, shall unload immediately the following cars, containing various commodities, now on hand at Jersey City Terminal, Jersey City, New Jersey.

Car No., Initial, Commodity and Consignee

PA 296243, pipe, Asiatic Pet. Corp. NYC 707049, autos and parts, D. C. Andrews Co.

BO 263001, steel rails, Accoc. Metals M. Co. BO 259165, steel rails, Accoc. Metals M. Co. BO 262989, steel rails, Accoc. Metals M. Co. BO 262713, boiler tubes, U. S. Steel Export

RDG 28569, steel plates, Ore S. S. Co. PRR 858891, machinery, Mecke & Co.

(b) Demurrage. No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., May 1, 1947, and continuing until the actual unloading of said car or cars is completed.

(c) Provisions suspended. The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) Notice and expiration. Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it

has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911, 49 U. S. C. 1 (10)-(17), 15 (2))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL, Secretary.

[F. R. Doc. 47-4193; Filed, May 2, 1947; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-127, 59-3, 59-12]

ELECTRIC BOND AND SHARE CO. ET AL.

MOTICE OF FILING OF SUPPLEMENTAL PLAN, MOTICE OF AND ORDER RECONVENING HEAR-ING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of April A. D. 1947.

In the matter of Electric Bond and Share Company, File No. 54–127; Electric Bond and Share Company and its subsidiary companies, respondents, File No. 59–3; Electric Bond and Share Company, American Power & Light Company, National Power & Light Company, Electric Power & Light Corporation, et al., respondents, File No. 59–12.

Notice is hereby given that Electric Bond and Share Company ("Bond and Share") a registered holding company, has filed an application for approval of a supplemental plan, designated as Plan II-B, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935

Said Plan II-B has been filed in accordance with certain provisions contained in Bond and Share's Plan II-A. approved by the Commission on September 6, 1946 (Holding Company Act Release No. 6879-1) and approved and enforced by order of the United States District Court for the Southern District of New York dated December 30, 1946. Said Plan II-A provided, among other things, that, in addition to the \$30 per share paid by Bond and Share to each of the holders of its \$5 and \$6 Preferred Stocks pursuant to the provisions of Bond and Share's Plan I, the company would (a) pay to each of the holders of such preferred stocks \$70 per share in cash plus the amount of any accumulated dividends, (b) deliver to each of

such holders a certificate evidencing the right of such holders to receive any additional amounts of cash and/or other assets of the company which the Commission or any appropriate court might approve or direct, and (c) within four months after the effective date of Plan II-A (March 6, 1947) file with the Commission under section 11 (e) of the act a further plan specifying the additional amount of cash and/or other assets of the company, if any, that Bond and Share proposes to pay and/or distribute in connection with the retirement of its preferred stocks, which amount (to-gether with distribution of capital provided in Plans I and II-A) will constitute the equivalent of all the rights of such stockholders.

All interested persons are referred to said Plan II-B, which is on file in the offices of the Commission, for a full statement of the transactions therein proposed, which may be summarized as follows:

Bond and Share proposes to pay no further amount of cash or other assets of the company to the holders of the certificates issued to the \$5 and \$6 preferred stockholders of Bond and Share in accordance with the provisions of Plan II—A and requests that, in the event of final approval of Plan II—B by the Commission and an appropriate court (after disposal of all appeals) the foregoing certificates become null and void.

Such proposal by Bond and Share is subject, however, to the provision contained in Plan II—A to the effect that in the event Plan II—B is not approved by the commission and an appropriate court having jurisdiction, Bond and Share will pay and/or distribute to its preferred stockholders such an amount, if any, of additional cash and/or other assets of the company as may be finally determined by an appropriate court.

The Commission having heretofore consolidated for the purpose of consideration proceedings with respect to the section 11 (e) plans filed by Bond and Share (File No. 54-127) with the proceedings previously instituted by the Commission pursuant to section 11 (b) of the act (File Nos. 59-3 and 59-12) directed to Bond and Share and certain of its subsidiaries, and having further ordered that any relevant evidence adduced in the said proceedings instituted by the Commission pursuant to section 11 (b) of the act shall be incorporated in and deemed to be part of the record in the proceedings on the said plans filed pursuant to section 11 (e) of the act, with-out prejudice, however, to the Commission's right, upon its own motion or the motion of any interested party, to strike such portions of the record in the proceedings pursuant to section 11 (b) as

raised with respect to the proposed plans; It is hereby, ordered, That the hearings in these consolidated proceedings be reconvened and that a hearing be held with respect to Plan II—B at 10:00 a. m., e. d. s. t. on June 9, 1947 at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania in such room as may be designated at that time by the hearing room clerk in Room 318. All

may be deemed irrelevant to the issues

persons desiring to be heard or otherwise wishing to participate in such proceedings shall file with the Secretary of the Commission on or before May 30, 1947, a written request in the manner prescribed by Rule XVII of the Commission's rules of practice.

It is further ordered, That Robert P Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Public Utilities Division of the Commission having advised the Commission that it has made a prelminary examination of the application and that, upon the basis thereof, the following matters and questions are presented for consideration by the Commission without prejudice, however, to the presentation of additional matters and questions upon further examination:

- 1. Whether Plan II-B, as submitted, or as it may be hereafter modified, is fair and equitable to the persons affected thereby, more particularly whether the proposal by Bond and Share to pay no further amount of cash or other assets of the company to the holders of the certificates issued to the \$5 and \$6 preferred stockholders of Bond and Share in accordance with the provisions of Plan II-A is fair and equitable.
- 2. Whether Plan II-B, as submitted, or as it may be hereafter modified, is necessary to effectuate the provisions of section 11 (b) of the act and is a proper step toward compliance with the order of the Commission dated September 6, 1946.
- 3. What amount of additional cash and/or other assets of the company should be ordered by the Commission to be paid to the holders of the certificates issued to the \$5 and \$6 preferred stockholders of Bond and Share, in the event the Commission disapproves Plan II-B.
- 4. Whether Plan II-B, as filed, or as it may be modified, makes appropriate provision for the payment of fees, expenses and other remuneration, and whether such fees, expenses or other remuneration are for necessary services.
- 5. Whether or not the accounting treatment of the proposed transactions is proper and in conformity with sound accounting principles.
- 6. Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors and consumers, and consistent with all applicable requirements of the Act and the Rules thereunder, and if not, what terms and conditions should be imposed to satisfy the applicable statutory standards.

It is further ordered, That particular attention be directed at said hearing to the foregoing matters and questions.

It is further ordered, That jurisdiction be reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters herein set forth or which may arise in these proceedings or to consolidate with these proceedings

other filings or matters pertaining to the subject matter of these proceedings, and to take such other action as may appear conducive to the orderly prompt and economical disposition of matters involved.

It is further ordered, That notice of this hearing be given to Bond and Share and to all participants who have appeared in these proceedings and that notice of said hearing shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the malling list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice be given to all persons by publication of this notice and order in the Federal Register.

It is further ordered, That Bond and Share, at least 15 days prior to the date of this hearing, shall give notice of such hearing to all its security holders (insofar as the identity of such holders is known or available to it) by mailing to each holder of the certificates issued to the \$5 and \$6 preferred stock at his last known address a copy of Plan II-B together with a copy of this notice and order reconvening hearing, and by mailing to each common stockholder at his last known address a statement setting forth a summary of the plan and the time, date, and place of the hearing. The statement to be mailed to the common stockholders shall be submitted to the Commission for review prior to mail-

By the Commission.

[SEAL] ORVAL L. DUBOIS.

. Dubois, Secretary.

[F. R. Doc. 47–4191; Filed, May 2, 1947; 8:48 a. m.]

[File No. 70-1497]

SOUTHERN CALIFORNIA WATER CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 28th day of April A. D. 1947.

Southern California Water Company ("Southern California") a public utility subsidiary company of American States Utilities Corporation, a registered holding company, having filed an application and amendments thereto in which section 6 (b) of the Public Utility Holding Company Act of 1935 and Rule U-50 promulgated thereunder are designated as applicable with respect to the following transactions:

Southern California proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50 promulgated under the act, \$5,100,000 principal amount of First Mortgage Bonds, ...% Series due May 1, 1977, to be issued under an Indenture with the Bank of America National Trust and Savings Association, as Trustee. The interest rate on said bonds (to be a multiple of $\frac{1}{12}$ 60 f 1%) and the price to be received by Southern California (to be not less than 100% and not more than 102¾% of the principal amount of said bonds) are to be

determined by the competitive bidding. The applicant states that the proceeds from the sale of the new bonds will be used (1) to redeem, at their redemption prices of 1051/4, the company's outstanding \$3,465,000 principal amount of Series A, and \$297,000 principal amount of Series B, First Mortgage Bonds, exclusive of \$38,000 aggregate principal amount of Series A and B bonds to be redeemed out of treasury funds on May 1, 1947, through operation of the sinking fund, (2) to pay the fees and expenses of the proposed sale, and (3) to add the balance to the general funds of the company to defray, in part, the cost of property additions during the year 1947.

Said application having been filed on March 28, 1947, and an amendment thereto having been filed on April 28, 1947, and notice of such filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said application, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The applicant having requested that the Commission's order granting the application become effective immediately upon issuance, the Commission deeming it appropriate to grant such request; and

The Commission finding that Southern California is entitled to an exemption from the provisions of sections 6 (a) and 7 of the act pursuant to the provisions of section 6 (b) thereof, it appearing that the issuance and sale of the new bonds are solely for the purpose of financing the business of the applicant and that such issuance and sale has been expressly authorized by the Public Utilities Commission of the State of California which is the State Commission of the State in which the applicant is organized and doing business; it appearing that the record as to the fees and expenses in connection with the issuance and sale of said bonds is incomplete; and the Commission deeming it appropriate in the public interest and the interest of investors and consumers that subject to the condition and reservation of jurisdiction recited below said application, as amended, be granted:

It is hereby ordered, That pursuant to Rule U-23 said application, as amended, be, and the same is hereby, granted forthwith, subject to the terms and conditions prescribed in Rule U-24 and subject to the further condition that the proposed sale of new bonds by Southern California shall not be consummated until the results of competitive bidding pursuant to Rule U-50 have been made a matter of record herein and a further order shall have been entered with respect thereto, which order may contain such further terms and conditions as may then be deemed appropriate, for which purpose jurisdiction is hereby reserved.

It is further ordered, That jurisdiction be, and the same hereby is, reserved, with respect to the fees and expenses in connection with the issuance and sale of the new bonds.

By the Commission.

[SEAL] ORVAL L. DuBois, Secretary.

[F. R. Doc. 47-4193; Filed, May 2, 1947; 8:48 a. m.]